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G. BURNET.

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A  
COLLECTION  
OF  
EIGHTEEN PAPERS,  
Relating to the  
AFFAIRS  
OF  
Church & State,

During the Reign of  
King *JAMES* the Second.

(Seventeen whereof written in *Holland*, and first  
printed there.)

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By *GILBERT BURNET*, D. D.

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Licensed and Entred according to Order.

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Reprinted at *London* for *John Starkey* and  
*Richard Chilwell*. 1689.

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COLLECTION

OF

EIGHTEEN PAPERS

RELATIVE TO THE

AFFAIRS

OF

Church & State

BY

WALTER STURGEON

(Second Edition, with an Introduction, and the  
Author's Preface)

BY ALBERT BARNETT, D.D.

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# R E A S O N S

Against the Repealing the

## ACTS of PARLIAMENT

Concerning the

# T E S T.

Humbly offered to the Consideration of the  
MEMBERS of BOTH HOUSES, at their  
next Meeting, on the Twenty eighth of *April*,  
1687.

I. **I**F the just Apprehensions of the *Danger of Popery* gave the Birth to the *two Laws* for the *two Tests*, the *one* with relation to all *Publick Employments* in 73. and the *other* with relation to the *Constitution* of our *Parliaments* for the future, in 78. the present Time and Conjuncture does not seem so proper for repealing them; unless it can be imagined, that the *danger of Popery* is now so much less than it was formerly, that we need be no more on our guard against it. We had a *King*, when these *Laws* were enacted, who as he declared himself to be of the *Church of England*, by receiving the *Sacrament* four times a *Year* in it, so in all his *Speeches* to his *Parliaments*, and in all his *Declarations* to his *Subjects*, he repeated the Assurances of his Firmness to the *Protestant Religion*, so solemnly and frequently, that if the saying a thing often gives just reason to believe it, we had as much reason as ever People had to depend upon him: and yet for all that, it was thought necessary to fortifie those Assurances with *Laws*: and it is not easie

to imagine, why we should throw away those, when we have a *Prince* that is not only of another *Religion* himself, but that has expressed so much *steadiness* in it, and so much *zeal* for it, that one would think we should rather now seek a further *Security*, than throw away that which we already have.

II. *Our King* has given such Testimonies of his *Zeal* for his *Religion*, that we see among all his other Royal Qualities, there is none for which he desires and deserves to be so much admired. Since even the Passion of *Glory*, of making himself the Terror of all *Europe*, and the *Arbiter* of *Christendom*, (which, as it is natural to all *Princes*, so must it be most particularly so to one of his Martial and Noble Temper) yields to his *Zeal* for his *Church*; and that he, in whom we might have hoped to see our *Edward* the Third, or our *Henry* the Fifth revived, chuses rather to merit the heightning his degree of *Glory* in another World, than to acquire all the *Laws* and *Conquests* that this low and vile World can give him: and that, in stead of making himself a Terror to all his Neighbours, he is contented with the *humble Glory* of being a Terror to his own *People*; so that in stead of the great *Figure* which this *Reign* might make in the *World*, all the *News* of *England* is now only concerning the *Practices* on some fearful *Mercenaries*. These things shew, that his Majesty is so possessed with his *Religion*, that this cannot suffer us to think, that there is at present no danger from *Popery*.

III. It does not appear, by what we see, either *abroad* or at *home*, that *Popery* has so changed its nature, that we have less reason to be afraid of it at present, than we had in former times. It might be thought ill nature to go so far back, as to the *Councils* of the *Lateran*, that decreed the *Extirpation* of *Hereticks*, with severe *Sanctions* on those *Princes* that failed in their Duty, of being the *Hangmen* of the *Inquisitors*; or to the *Council* of *Constance*, that decreed, That *Princes* were not bound to keep their *Faith* to *Hereticks*; tho' it must be acknowledged, that we have extraordinary *Memories* if we can forget such things, and more extraordinary *Understandings* if we do not make some *Inferences* from them. I will not stand upon such inconsiderable *Trifles* as the *Gunpowder-Plot*, or the *Massacre* of *Ireland*; but I will take the liberty to reflect a little on what that *Church* has done since those *Laws* were made, to give us kinder

kinder and softer thoughts of them, and to make us the less apprehensive of them. We see before our eyes what they have done, and are still doing in *France*; and what feeble things *Edicts*, *Coronation Oaths*, *Laws*, and *Promises*, repeated over and over again, prove to be, where that *Religion* prevails; and *Louis le Grand* makes not so contemptible a Figure in that *Church*, or in our *Court*, as to make us think, that his *Example* may not be proposed as a *Pattern*, as well as his *Aid* may be offered for an *Encouragement*, to act the same things in *England*, that he is now doing with so much applause in *France*: and it may be perhaps the rather desired from hence to put him a little in countenance, when so great a *King* as ours is willing to forget himself so far as to copy after him, and to depend upon him: so that as the *Doctrine* and *Principles* of that *Church* must be still the same in all Ages and Places, since its chief pretention is, that it is *infallible*, it is no unreasonable thing for us to be afraid of those, who will be easily induced to burn us a little here, when they are told, that such fervent *Zeal* will save them a more lasting burning hereafter, and will perhaps quit all scores so entirely, that they may hope scarce to endure a *Singing in Purgatory* for all their other Sins.

IV. If the severest *Order* of the *Church of Rome*, that has breathed out nothing but *Fire* and *Blood* since its first formation, and that is even decried at *Rome* it self for its Violence, is in such credit here; I do not see any inducement from thence to persuade us to look on the *Councils* that are directed by that *Society*, as such harmless and inoffensive things, that we need be no more on our guard against them. I know not why we may not apprehend as much from *Father Petre*, as the *French* have felt from *Pere de la Chaise*, since all the difference that is observed to be between them, is, that the *English Jesuit* has much more *Fire* and *Passion*, and much less *Conduct* and *Judgment* than the *French* has. And when *Rome* has expressed so great a *Jealousie* of the *Interest* that that *Order* had in our *Councils*, that *F. Morgan*, who was thought to influence our *Ambassadcur*, was ordered to leave *Rome*; I do not see why *England* should look so tamely on them. No reason can be given why *Card. Howard* should be shut out of all their *Councils*, unless it be, that the *Nobleness* of his Birth,

and the *Gentleness* of his Temper, are too hard even for his *Religion* and his *Purple*, to be mastered by them. And it is a Contradiction, that nothing but a Belief capable of receiving *Transubstantiation* can reconcile, to see Men pretend to observe *Law*, and yet to find at the same time an *Ambassador* from *England* at *Rome*, when there are so many *Laws* in our *Book of Statutes*, never yet repealed, that have declared over and over again all Commerce with the *Court* and *See* of *Rome* to be *Highb Treason*.

V. The late famous *Judgment* of our *Judges*, who knowing no other way to make their *Names* immortal, have found an effectual one to preserve them from being ever forgot, seems to call for another Method of Proceeding. The *President* they have set must be fatal either to *them* or *us*. For if *twelve Men*, that get into *Scarlet* and *Furs*, have an *Authority* to dissolve all our *Laws*, the *English Government* is to be hereafter lookt at with as much scorn, as it has hitherto drawn admiration. That doubtful Words of *Laws*, made so long ago, that the Intention of the *Lawgivers* is not certainly known, must be expounded by the *Judges*, is not to be questioned: but to infer from thence, that the plain Words of a *Law*, so lately made, and that was so vigorously asserted by the *present Parliament*, may be made void by a Decision of theirs, after so much Practice upon them, is just as reasonable a way of arguing, as theirs is, who because the *Church of England* acknowledges, that the *Church* has a Power in *Matters of Rites and Ceremonies*, will from thence conclude, that this Power must go so far, that tho' Christ has said of the Cup, *Drink ye all of it*, we must obey the *Church* when she decrees, that we shall not drink of it. Our *Judges*, for the greater part, were *Men* that had past their Lives in so much *Retirement*, that from thence one might have hoped, that they had studied our *Law* well, since the *Bar* had called them so seldom from their *Studies*: and if *Practice* is thought often hurtful to Speculation, as that which disorders and hurries the Judgment, they who had *practised* so little in our *Law*, had no byass on their Understandings: and if the habit of taking *Money* as a *Lawyer*, is a dangerous Preparation for one that is to be an *incorrupt Judge*, they should have been *incorruptible*, since it is not thought, that the greater part of them



got ever so much *Money* by their *Profession*, as paid for their *Furs*. In short, we now see how they have *merited* their *Preferment*, and they may yet expect a further *Exaltation*, when the *Justice* and the *Laws of England* come to be in *Hands*, that will be as careful to preserve them, as *they* have been to destroy them. But what an *Infamy* will it lay upon the Name of an *English Parliament*, if instead of calling those *Betrayers of their Country* to an account, they should go by an after-game to confirm what these *Fellows* have done?

VI. The late *Conferences* with so many *Members* of both *Houses*, will give such an ill-natured piece of *Jealousie* against them, that of all *Persons* living, that are the most concern'd to take care how they give their *Votes*, the *World* will believe, that *Threatnings* and *Promises* had as large a share in those *secret Conversations*, as *Reasoning* or *Persuasion*: and it must be a more than ordinary degree of *Zeal* and *Courage* in them, that must take off the *Blot*, of being *sent for*, and *spoke to*, on such a *Subject*, and in such a manner. The worthy Behaviour of the *Members* in the *last Session*, had made the *Nation* unwilling to remember the *Errors* committed in the *first Election*: and it is to be hoped, that they will not give any cause for the future to call that to mind. For if a *Parliament*, that had so many *Flaws* in its first *Conception*, goes to repeal *Laws*, that we are sure were made by *Legal Parliaments*, it will put the *Nation* on an *Enquiry* that nothing but necessity will drive them to. For a *Nation* may be laid asleep, and be a little cheated; but when it is awakened, and sees its danger, it will not look on and see a *Rape* made on its *Religion* and *Liberties*, without examining, *From whence have these Men this Authority?* They will hardly find that it is *of Men*; and they will not believe that it is *of God*. But it is to be hoped, that there will be no occasion given for this angry *Question*, which is much easier made than answered.

VII. If all that were now asked in favour of *Popery*, were only some *Gentleness* towards the *Papists*, there were some reason to entertain the *Debate*, when the *Demand* were a little more modest: If *Men* were to be attainted of *Treason*, for being *reconciled* to the *Church of Rome*, or for *reconciling* others to it; If *Priests* were demanded to be *hanged*, for taking

king Orders in the *Church of Rome*; and if the *two thirds* of the *Papists Estates* were offered to be levied, it were a very natural thing to see them uneasy and restless: but now the matter is more barefaced; they are not contented to live at ease, and enjoy their *Estates*; but they must carry all before them: and *F. Petre* cannot be at quiet, unless he makes as great a *Figure* in our *Court*, as *Pere de la Chaise* does at *Ver-sailles*.

A Cessation of all Severities against them, is that to which the *Nation* would more easily submit; but it is their *Behavi-our* that must create them the continuance of the like *Com-passion* in another *Reign*. If a restless and a persecuting *Spirit* were not inherent in that *Order*, that has now the *As-cendant*, they would have behaved themselves so decently under their present *Advantages*, as to have made our *Di-vines*, that have charged them so heavily, look a little out of countenance: and this would have wrought more on the good Nature of the *Nation*, and the *Princely Nobleness* of the *Successors* whom we have in *view*, than those *Arts* of *Craft* and *Violence*, to which we see their *Tempers* carry them even so early, before it is yet time to shew themselves. The *Tem-per* of the *English Nation*, the *Heroical Vertues* of those whom we have in our *Eyes*, but above all, our most holy *Religion*, which instead of *Revenge* and *Cruelty*, inspires us with *Cha-ri-ty* and *Mercy*, even for *Enemies*, are all such things, as may take from the *Gentlemen* of that *Religion* all sad *Ap-prehensions*, unless they raise a *Storm* against themselves, and provoke the *Justice* of the *Nation* to such a degree, that the *Successors* may find it necessary to be *just*, even when their own *Inclinations* would rather carry them to *shew Mercy*. In short, they need fear nothing but what they create to themselves: so that all this stir that they keep for their own *Safety*, looks too like the securing to themselves *Pardons* for the *Crimes* that they intend to commit.

VIII. I know it is objected as no small *Prejudice* against these *Laws*, That the very making of them discovered a particular *Malignity* against *His Majesty*, and therefore it is *ill Manners* to speak for them. The *first* had perhaps an *Eye* at his being then *Admiral*: and the *last* was possibly levelled at him: tho' when that was discovered, he was excepted

out of it by a special *Proviso*. And as for that which pass in 73, I hope it is not forgot, that it was enacted by that *Loyal Parliament*, that had fetled both the *Prerogative* of the Crown and the Rites of the *Church*, and that had given the *King* more *Money* than all the *Parliaments* of *England* had ever done in all former Times. A *Parliament* that had indeed some *Disputes* with the *King*, but upon the first Step that he made with relation to *Religion* or *Safety*, they shewed how ready they were to forget all that was past : as appeared by their Behaviour after the *Triple Alliance*. And in 73, tho' they had great cause given them to dislike the *Dutch War*, especially the strange beginning of it upon the *Smyrna Fleet* ; and the stopping the *Exchequer*, the *Declaration* for *Toleration*, and the *Writs* for the *Members* of the *House*, were Matters of hard Digestion ; yet no sooner did the *King* give them this new Assurance for their *Religion* then, tho' they had very great Reasons given them to be jealous of the *War*, yet since the *King* was engaged, they gave him 1200000 Pounds for carrying it on ; and they thought they had no ill Penworths for their *Money*, when they carried home with them to their *Countries* this new *Security* for their *Religion*, which we are desired now to throw up, and which the Reverend *Judges* have already thrown out, as a *Law* out of date. If this had carried in it any new piece of *Severity*, their Complaints might be just ; but they are extream tender, if they are so uneasy under a *Law* that only gives them Leisure and Opportunities to live at home. And the last *Test*, which was intended only for shutting them out from a share in the *Legislative Body*, appears to be so just, that one is rather amazed to find that it was so long a *doing*, than that it was *done* at last : and since it is *done*, it is a great presumption on our Understandings to think, that we should be willing to part with it. If it was not sooner done, it was because there was not such cause given for Jealousie to work upon : but what has appeared since that time, and what has been printed in his late Majesty's Name, shews the World now, that the *Fearfulness* which occasioned those *Laws*, were not so ill grounded, as some well-meaning Men perhaps then believed them to be. But there are some Times in which all Mens Eyes come to be opened.

IX. I am told, some think it is very indecent to have a *Test* for our *Parliaments*, in which the *King's Religion* is accused of *Idolatry*; but if this Reason is good in this Particular, it will be full as good against several of the *Articles* of our *Church*, and many of the *Homilies*. If the *Church* and *Religion* of this *Nation* is so formed by *Law*, that the *King's Religion* is declared over and over again to be *Idolatrous*, what help is there for it? It is no other, than it was when His Majesty was Crowned, and *Swore* to maintain our *Laws*.

I hope none will be wanting in all possible Respect to His Sacred Person; and as we ought to be infinitely sorry to find him engaged in a *Religion* which we must believe *Idolatrous*, so we are far from the ill Manners of reflecting on his Person, or calling him an *Idolater*: for as every Man that reports a Lie, is not for that to be called a Liar; so tho' the ordering the Intention, and the prejudice of a Misperuasion, are such Abatements, that we will not rashly take on us to call every Man of the *Church of Rome* an *Idolater*; yet on the other hand, we can never lay down our Charge against the *Church of Rome* as guilty of *Idolatry*, unless at the same time we part with our *Religion*.

X. Others give us a strange sort of *Argument*, to persuade us to part with the *Test*; they say, *The King must employ his Popish Subjects, for he can trust no other; and he is so assured of their Fidelity to him, that we need apprehend no Danger from them.* This is an odd Method to work on us, to let in a sort of People to the *Parliament* and *Government*, since the *King* cannot trust *us*, but will depend on *them*: so that as soon as this *Law* is repealed, they must have all the *Employments*, and have the whole Power of the *Nation* lodged in their *hands*; this seems a little too gross to impose, even on *Irishmen*. The *King* saw for many Years together, with how much Zeal both the *Clergy*, and many of the *Gentry* appeared for his Interests; and if there is now a Melancholy Damp on their Spirits, the *King* can dissipate it when he will; and as the *Church of England* is a Body that will never rebel against him, so any Sullenness, under which the late Administration of Affairs has brought them, would soon vanish, if the *King* would be pleased to remember a little what he has so often promised, not only in *Publick*, but in *Private*; and would

would be contented with the Exercise of his own *Religion*, without embroiling his whole Affairs, because *F. Petre* will have it so: and it tempts *Englishmen* to more than ordinary degrees of *Rage*, against a sort of *Men*, who it seems, can intuse in a *Prince*, born with the highest sense of Honour possible, Projects, to which, without doing some Violence to his own Royal Nature, he could not so much as hearken to, if his *Religion* did not so fatally muffle him up in a blind Obedience. But if we are so unhappy, that *Priests* can so disguise Matters, as to mislead a *Prince*, who without their ill Influences would be the most *Glorious Monarch* of all *Europe*, and would soon reduce the *Grand Louis* to a much humbler *Figure*; yet it is not to be so much as imagined, that ever their Arts can be so unhappily successful, as to impose on an *English Parliament*, composed of *Protestant Members*.

C O M M E N T S

SOME  
REFLECTIONS

ON HIS MAJESTY'S  
PROCLAMATION  
Of the Twelfth of *February*, 168<sup>6</sup>. for a TO-  
LERATION in *Scotland*:

Together with the said PROCLAMATION.

**T**HE Preamble of a *Proclamation* is oft writ in haste, and is the Flourish of some wanton Pen: but one of such an Extraordinary nature as *this is*, was probably more severely examined; there is a new Designation of his *Majesty's Authority* here set forth of his *Absolute Power*, which is so often repeated, that it deserves to be a little searched into. *Prerogative Royal* and *Sovereign Authority*, are Terms already received and known; but for this *Absolute Power*, as it is a new Term, so those who have coined it, may make it signify what they will. The *Roman Law* speaks of *Princeps Legibus solutus*, and *Absolute* in its natural signification, importing the being without all Ties and Restraints; then the true meaning of this seems to be, that there is an *Inherent Power* in the *King*, which can neither be restrained by *Laws*, *Promises*, nor *Oaths*; for nothing less than the being *free* from all these renders a *Power Absolute*.

II. If the former Term seemed to stretch our Allegiance, that which comes after it, is yet a step of another nature, tho' one can hardly imagine what can go beyond *Absolute Power*; and it is in these Words, *Which all our Subjects are*

are to obey without reserve. And this is the carrying Obedience many sizes beyond what the *Grand Seigneur* has ever yet claimed: For all *Princes*, even the most violent Pretenders to **Absolute Power**, till *Lewis the Great's* Time, have thought it enough to oblige their *Subjects* to submit to their *Power*, and to bear whatsoever they thought good to impose upon them; but till the Days of the late *Conversions* by *Dragoons*, it was never so much as pretended, that *Subjects* were bound to obey their *Prince* without Reserve, and to be of his *Religion* because he would have it so. Which was the only Argument that those late *Apostles* made use of; so it is probable this Qualification of the Duty of *Subjects* was put in here, to prepare us for a terrible *le Roy le veut*; and in that case we are told here, that we must obey without reserve; and when those severe Orders come, the *Privy-Council*, and all such as execute this *Proclamation*, will be bound by this *Declaration* to shew themselves more forward than any others, to obey without reserve: and those poor Pretensions of *Conscience*, *Religion*, *Honour*, and *Reason*, will be then reckoned as **Reserves upon their Obedience**, which are all now shut out.

III. These being the Grounds upon which this *Proclamation* is founded, we ought not only to consider what Consequences are now drawn from them, but what may be drawn from them at any time hereafter: for if they are of force to justify that which is now inferred from them, it will be full as just to draw from the same Premises an Abolition of the *Protestant Religion*, of the Rights of the *Subjects*, not only to *Church-lands*, but to all *Property* whatsoever. In a word, it asserts a *Power* to be in the *King*, to command what he will; and an *Obligation* in the *Subjects*, to obey whatsoever he shall command.

IV. There is also mention made in the Preamble, of the *Christian Love and Charity* which his *Majesty* would have established among *Neighbours*; but another dash of a Pen, founded on this **Absolute Power**, may declare us all *Hereticks*; and then in wonderful *Charity* to us, we must be told, that we are either to obey without Reserve, or to be burnt without Reserve. We know the *Charity* of that *Church* pretty well: It is indeed *Fervent* and *Burning*; and if we have forgot what has been done in former Ages, *France*, *Savoy*, and *Hungary*,

have set before our Eyes very flesh Instances of the *Charity* of that *Religion* : While those Examples are so green, it is a little too imposing on us, to talk to us of *Christian Love* and *Charity*. No doubt his *Majesty* means sincerely, and his *Exactness* to all his *Promises*, chiefly to those made since he came to the *Crown*, will not suffer us to think an unbecoming Thought of his Royal Intentions ; but yet after all, tho' it seems by this *Proclamation*, that we are bound to obey without *Reserve*, it is *Hardship* upon *Hardship* to be bound to *Believe without Reserve*.

V. There are a sort of People here tolerated, that will be very hardly found out : and these are the *Moderate Presbyterians*. Now, as some say, that there are very few of those People in *Scotland*, that deserve this Character, so it is hard to tell what it amounts to ; and the calling any of them *Immoderate*, cuts off all their share in this Grace. *Moderation* is a Quality that lies in the Mind ; and how this will be found out, I cannot so readily guess. If a Standard had been given of Opinions or Practices, then one could have known how this might have been distinguished ; but as it lies, it will not be easie to make the Discrimination ; and the declaring them all *Immoderate*, shuts them out quite.

VI. Another Foundation laid down for Repealing all *Laws* made against the *Papists*, is, That they were enacted in *King James the Sixth's* Minority ; with some harsh Expressions, that are not to be insisted on, since they shew more the Heat of the Penner, than the Dignity of the Prince, in whose Name they are given out ; but all these *Laws* were ratified over and over again by *King James*, when he came to be of full Age : and they have received many Confirmations by *King Charles the First*, and *King Charles the Second*, as well as by his *present Majesty*, both when he represented his *Brother* in the Year 1681. and since *He* himself came to the *Crown*, so that whatsoever may be said concerning the first Formation of those *Laws*, they have received now for the course of a whole hundred *Years*, that are lapsed since *King James* was of full Age, so many Confirmations, that if there is any thing certain in *Humane Government*, we might depend upon them ; but this new coined *Absolute Power* must carry all before it.



VII. It is also well known, that the whole Settlement of the *Church-Lands* and *Tyrthes*, with many other things, and more particularly the Establishment of the *Protestant Religion*, was likewise enacted in *King James's* Minority, as well as those *Penal Laws*: so that the Reason now made use of to annul the *Penal Laws*, will serve full as well for another Act of this *Absolute Power*, that shall abolish all those; and if Maxims that unhinge all the Securities of Humane Society, and all that is sacred in Government, ought to be look'd on with the justest and deepest Prejudices possible, one is tempted to lose the Respect that is due to every thing that carries a Royal Stamp upon it, when he sees such Grounds made use of, as must shake all Settlements whatsoever: For if a Prescription of *120 Years*, and Confirmations reiterated over and over again these *100 Years* past, do not purge some Defects in the first Formation of those *Laws*, what can make us secure? But this looks so like a Fetch of the *French Prerogative Law*, both in their Processes with relation to the *Edict of Nantes*, and those concerning *Dependences at Metz*, that this seems to be a Copy from that famous Original.

VIII. It were too much ill Nature to look into the History of the last Age, to examine on what Grounds those Characters of Pious and Blessed, given to the *Memory of Q. Mary*, are built; but since *King James's Memory* has the Character of Glorious given to it, if the Civility due to the *Fair Sex* makes one unwilling to look into the one, yet the other may be a little dwelt on. The peculiar *Glory* that belongs to *King James's Memory*, is, that he was a Prince of great Learning, and that he employed it chiefly in writing for Religion: Of the *Volume in Folio*, in which we have his *Works*, two thirds are against the *Church of Rome*; one part of them is a Commentary on the *Revelation*, proving that the *Pope is Antichrist*; another part of them belonged more naturally to his Post and Dignity; which is the Warning that he gave to all the Princes and States of *Europe*, against the Treasonable and Bloody Doctrines of the *Papacy*. The first Act he did when he came of Age, was to swear in Person with all his Family, and afterwards with all his People of *Scotland*, a *Covenant*, containing an Enumeration of all the *Points of Popery*, and a most solemn Renunciation of them, somewhat like

like our *Parliament-Test*. His *first Speech* to the *Parliament of England*, was Copious on the same Subject; and he left a *Legacy* of a *Wish* on such of his *Posterity* as should go over to that *Religion*, which in good manners is suppressed. It is known, *King James* was no *Conqueror*, and that he made more use of his *Pen* than his *Sword*: so the *Glory* that is peculiar to his *Memory* must fall chiefly on his *Learned* and *Immortal Writings*: and since there is such a *Veneration* expressed for him, it agrees not ill with this. to wish, that his *Works* were more studied by those who offer such *Incense* to his *Glorious Memory*.

IX. His *Majesty* assures his *People of Scotland*, upon his *certain Knowledge*, and *long Experience*, that the *Catholicks*, as they are *good Christians*, so they are likewise *dutiful Subjects*: But if we must believe both these equally, then we must conclude severely against their being *good Christians*; for we are sure they can never be *good Subjects*, not only to a *Heretical Prince*, but even to a *Catholic Prince*, if he does not *extirpate Hereticks*; for their beloved *Council of the Lateran*, that decreed *Transubstantiation*, has likewise decreed, *That if a Prince does not extirpate Hereticks out of his Dominions, the Pope must depose him, and declare his Subjects absolved from their Allegiance, and give his Dominions to another*. So that even his *Majesty*, how much soever he may be a *Zealous Catholic*, yet cannot be assured of their *Fidelity* to him, unless he has given them *secret Assurances*, that he is resolved to *extirpate Hereticks out of his Dominions*; and that all the *Promises* which he now makes to these poor *Wretches*, are no other way to be kept, than the *Assurances* which the *Great Lewis* gave to his *Protestant Subjects*, of his observing still the *Edict of Nantes*, even after he had resolved to break it; and also his last *Promise* made in the *Edict* that repealed the *Edict of Nantes*, by which he gave *Assurances*, that no *Violence* should be used to any for their *Religion*, in the very time that he was ordering all possible *Violences* to be put in execution against them.

X. His *Majesty* assures us, that on all occasions the *Papists* have shewed themselves *good and faithful Subjects* to him and his *Royal Predecessors*; but how *Absolute* soever the *King's Power* may be, it seems his *Knowledge* of *History* is not so *Absolute*, but it may be capable of some *Improvement*. It

will be hard to find out what *Loyalty* they shewed on the occasion of the *Gunpowder Plot*, or during the whole Progress of the *Rebellion of Ireland*; if the King will either take the Words of *King James of Glorious Memory*, or *King Charles the First*, that was indeed of *Pious and Blessed Memory*, rather than the Word of the Penners of this *Proclamation*, it will not be hard to find occasions where they were a little wanting in this their so much boasted *Loyalty*: and we are sure, that by the Principles of that *Religion*, the King can never be assured of the *Fidelity* of those he calls his *Catholic Subjects*, but by engaging to them to make his *Heretical Subjects* Sacrifices to their Rage.

XI. The King declares them capable of all the Offices and *Benefices* which he shall think fit to bestow on them, and only restrains them from invading the *Protestant Churches* by force: so that here a Door is plainly opened for admitting them to the Exercise of their *Religion* in *Protestant Churches*, so they do not break into them by force; and whatsoever may be the sense of the Term *Benefice* in its ancient and first signification, now it stands only for *Church-Preferments*; so that when any *Churches*, that are at the King's Gift, fall vacant, here is a plain intimation, that they are to be provided to them: and then it is very probable, that all the *Laws* made against such as go not to their *Parish-Churches*, will be severely turned upon those that will not come to *Mass*.

XII. His Majesty does in the next place, in the virtue of his *Absolute Power*, annul a great many *Laws*, as well those that established the *Oaths of Allegiance and Supremacy*, as the late *Test*, enacted by himself in Person, while he represented his Brother: upon which he gave as strange an Essay to the World of his *Absolute Justice* in the Attainder of the late Earl of *Argyle*, as he does now of his *Absolute Power* in condemning the *Test* it self; he also repeals his own Confirmation of the *Test*, since he came to the *Crown*, which he offered as the clearest Evidence that he could give of his Resolution to maintain the *Protestant Religion*, and by which he gained so much upon that *Parliament*, that he obtained every thing from them that he desired of them, till he came to try them in the Matters of *Religion*. This is no extraordinary Evidence to assure his People, that his *Promises* will be like  
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the Laws of the *Medes and Persians*, which alter not; nor will the disgrace of the *Commissioner* that enacted that *Law*, lay this Matter wholly on him; for the *Letter* that he brought, the *Speech* that he made, and the *Instructions* which he got, are all too well known, to be so soon forgotten; and if *Princes* will give their *Subjects* reason to think, that they forget their *Promises*, as soon as the Turn is served for which they were made, this will be too prevailing a Temptation to the *Subjects* to mind the *Princes Promise* as little as it seems he himself does; and will force them to conclude, that the *Truth* of the Prince is not so *Absolute* as it seems he fancies his *Power* to be.

XIII. Here is not only a Repealing of a great many *Laws*, and established *Oaths* and *Tests*; but by the exercise of the *Absolute Power*; a new *Oath* is imposed, which was never pretended to by the *Crown* in any former time; and as the *Oath* is created by this *Absolute Power*, so it seems the *Absolute Power* must be supported by this *Oath*: since one Branch of it is an Obligation to *maintain his Majesty and his lawful Successors in the exercise of this their Absolute Power and Authority, against all Deadly*, which I suppose is *Scotch for Mortals*. Now to impose so hard a Yoke as this *Absolute Power* on the *Subjects*, seems no small stretch; but it is a wonderful *Exercise* of it, to oblige the *Subjects* to *defend this*: it had been more modest, if they had been only bound to bear it, and submit to it: but it is a terrible thing so far to extinguish all the Remnants of Natural Liberty, or of a Legal Government, as to oblige the *Subjects* by *Oath* to *maintain the Exercise of this*, which plainly must destroy themselves: For the short Execution by the Bow-strings of *Turkey*, or by sending *Orders* to Men to return in their Heads, being an *Exercise of this Absolute Power*, it is a little hard to make Men swear to *maintain the King in it*: and if that *Kingdom* has suffered so much by the many *Oaths* that have been in use among them, as is marked in this *Proclamation*, I am afraid this new *Oath* will not much mend the matter.

XIV. Yet after all, there is some Comfort; his Majesty affures them, he will use no *Violence* nor *Force*, nor any *Invidious* *Necessity* to any *Man* upon the account of his *Persuasion*. It were too great a want of Respect to fancy, that a time may come

come in which even this may be remembred, full as well, as the *Promises* that were made to the *Parliament* after His Majesty came to the *Crown*. I do not, I confess, apprehend that; for I see here so great a Caution used in the choice of these Words, that it is plain, very great Severities may very well consist with them. It is clear, that the general Words of *Violence* and *Force*, are to be determined by these last of *Invincible Necessity*; so that the *King* does only *promise* to lay no *Invincible Necessity* on his *Subjects*; but for all *Necessities* that are not *Invincible*, it seems they must expect to bear a large share of them; Disgraces, want of Employments, Fines, and Imprisonments, and even Death it self, are all *Vincible* things to a Man of firmness of Mind; so that the *Violences of Torture*, the *Furies of Dragons*, and some of the *Methods* now practised in *France*, perhaps may be included within this *Promise*; since these seem almost *Invincible* to Humane Nature, if it is not fortified with an extraordinary measure of Grace: but as to all other things, His Majesty binds himself up from no part of *the Exercise of his Absolute Power* by this *Promise*.

XV. His Majesty orders this to go immediately to the *Great Seal*, without passing thro' the other *Seals*: Now since this is counter-signed by the *Secretary*, in whose Hands the *Signet* is, there was no other step to be made but thro' the *Privy Seal*; so I must own, I have a great curiosity of knowing his Character in whose Hands the *Privy Seal* is at present; for it seems his Conscience is not so very supple, as the *Chancellor's* and the *Secretaries* are; but it is very likely, if he does not quickly change his Mind, the *Privy Seal* at least will very quickly change its *Keeper*; and I am sorry to hear, that the *Lord Chancellor* and the *Secretary* have not another Brother to fill this Post, that so the Guilt of the Ruine of that *Nation* may lie on one single *Family*, and that there may be no others involved in it.

XVI. Upon the whole matter, many smaller things being waved, it being extream unpleasent to find fault, where one has all possible dispositions to pay all Respect; we here in *England* see what we must look for. A *Parliament* in *Scotland* was tried, but it proved a little stubborn; and now *Absolute Power* comes to set all right; so when the *Closetting*

has gone round, so that *Noses* are counted, we may perhaps see a *Parliament* here; but if it chances to be untoward, and not to obey without Reserve, then our Reverend *Judges* will copy from *Scotland*, and will not only tell us of the King's *Imperial Power*, but will discover to us this new *Mystery of Absolute Power*, to which we are all bound to obey without Reserve.

*These Reflections refer in so many Places to some Words in the Proclamation, that it was thought necessary to set them near one another, that the Reader may be able to judge, whether he is deceived by any false Quotations, or not.*

BY THE  
 KING,  
 A  
 PROCLAMATION.

JAMES R.

**J**AMES the Seventh by the Grace of God, King of Scotland, England, France, and Ireland, Defender of the Faith, &c. To all and sundry our good Subjects, whom these Presents do or may concern, *Greeting*. We having taken into Our Royal Consideration the many and great Inconveniencies which have hapned to that Our Ancient Kingdom of *Scotland* of late Years, through the different *Persuasions in the Christian Religion*, and the great Heats and Animosities amongst the several *Professors* thereof, to the ruine and decay of Trade, wasting of Lands, extinguishing of Charity, contempt of the Royal Power, and converting of true Religion, and the Fear of GOD, into Animosities, Names, *Factions*,

Factions, and sometimes into Sacriledge and Treason. And being resolved as much as in us lies, to unite the Hearts and Affections of Our Subjects, to GOD in Religion, to Us in Loyalty, and to their Neighbours in Christian Love and Charity; Have therefore thought fit to Grant, and by Our Sovereign Authority, Prerogative Royal, and Absolute Power, which all Our Subjects are to obey without Reserve, do hereby give and grant Our Royal Toleration, to the severall Professors of the Christian Religion after-named, with, and under the severall Conditions, Restrictions, and Limitations after mentioned. In the first place, We allow and tolerate the Moderate Presbyterians, to Meet in their Private Houses, and there to hear all such Ministers, as either have, or are willing to accept of Our Indulgence allanerly, and none other; and that there be not any thing said or done contrary to the Well and Peace of Our Reign, Seditious or Treasonable, under the highest Pains these Crimes will import; nor are they to presume to Build Meeting-Houses, or to use Out-Houses or Barns, but only to exercise in their Private Houses, as said is: In the mean time, it is Our Royal Will and Pleasure, that Field-Conventicles, and such as Preach or Exercise at them, or who shall any ways assist or connive at them, shall be prosecuted according to the utmost Severity of our Laws made against them, seeing from these Rendezvous of Rebellion, so much Disorder hath proceeded, and so much Disturbance to the Government, and for which, after this Our Royal Indulgence for Tender Consciences, there is no Excuse left. In like manner, We do hereby tolerate Quakers to meet and exercise in their Form, in any Place or Places appointed for their Worship. And considering the Severe and Cruel Laws made against Roman Catholicks (therein called Papiests) in the Minority of Our Royal Grandfather of Glorious Memory, without His Consent, and contrary to the Duty of good Subjects, by His Regents, and other Enemies to their Lawful Sovereign, Our Royal Great Grandmother Queen Mary of Blessed and Pious Memory, wherein, under the pretence of Religion, they clothed the worst of Treasons, Factions, and Usurpations, and made these Laws, not as against the Enemies of GOD, but their own; which Laws have still been continued of course without de-

sign of executing them, or any of them *ad terrorem* only, on Supposition, that the *Papists* relying on an External Power, were incapable of Duty, and true Allegiance to their Natural Sovereigns, and Rightful Monarchs; We of Our certain Knowledge, and long Experience, knowing that the *Catholicks*, as it is their Principle to be *Good Christians*, so it is to be Dutiful Subjects; and that they have likewise on all occasions shewn themselves Good and faithful Subjects to Us, and Our Royal Predecessors, by hazarding, and many of them actually losing their Lives and Fortunes, in their defence (though of another Religion) and the Maintenance of their Authority against the Violences and Treasons of the most violent Abettors of these *Laws*: Do therefore with Advice and Consent of Our *Privy Council*, by our *Sovereign Authority, Prerogative Royal, and Absolute Power*, aforesaid, suspend, stop and disable all *Laws, or Acts of Parliament, Customs or Constitutions*, made or executed against any of our *Roman Catholick Subjects*, in any time past, to all Intents and Purposes, making void all Prohibitions therein mentioned, Pains or Penalties therein ordained to be inflicted; so that they shall in all things be as free in all Respects as any of Our *Protestant Subjects* whatsoever, not only to exercise their *Religion*, but to enjoy all *Offices, Benefices and others*, which we shall think fit to bestow upon them in all time coming: Nevertheless, it is Our Will and Pleasure, and we do hereby command all *Catholicks* at their highest pains, only to exercise their *Religious Worship* in Houses or Chappels; and that they presume not to Preach in the open Fields, or to invade the *Protestant Churches* by force, under the pains aforesaid, to be inflicted upon the Offenders respectively; nor shall they presume to make *Publick Processions* in the *Higb-streets* of any of Our Royal *Burghs*, under the Pains above-mentioned. And whereas the Obedience and Service of Our Good Subjects is due to Us by their Allegiance, and Our Sovereignty, and that no Law, Custom or Constitution, Difference in Religion, or other Impediment whatsoever, can exempt or discharge the Subjects from their Native Obligations and Duty to the Crown, or hinder Us from Protecting, and Employing them, according to their several Capacities, and Our Royal Pleasure; nor Refrain Us from Conferring Heretable Rights and Priviledges upon them,



them, or vacuate or annul these Rights Heretable, when they are made or conferred: And likewise considering, that some Oaths are capable of being wrested by Men of sinister Intentions, a practice in that Kingdom fatal to Religion as it was to Loyalty; Do therefore, with Advice and Consent aforesaid, *cas*, *annull* and *Discharge* all Oaths whatsoever, by which any of Our Subjects are incapacitated, or disabled from holding Places, or Offices in Our said Kingdom, or enjoying their Hereditary Rights and Priviledges, discharging the same to be taken or given in any time coming, without our special Warrant and Consent, under the pains due to the Contempt of Our Royal Commands and Authority. And to this effect, we do by Our Royal Authority aforesaid, *stop*, *disable*, and *dispense* with all Laws enjoying the said Oaths, *Tests*, or any of them, particularly the first Act of the first Session of the first Parliament of King Charles the Second; the eleventh Act of the foresaid Session of the foresaid Parliament; the sixth Act of the third Parliament of the said King Charles; the twenty first and twenty fifth Acts of that Parliament, and the thirteenth Act of the first Session of Our late Parliament, in so far allanerly as concerns the taking the Oaths, or Tests therein prescribed, and all others, as well not mentioned, as mentioned, and that in place of them, all Our good Subjects, or such of them as We or Our Privy Council shall require so to do, shall take and swear the following Oath allanerly. I A. B. do acknowledge, testifie and declare, that JAMES the Seventh, by the Grace of God, King of Scotland, England, France and Ireland, Defender of the Faith, &c, is rightful King, and Supream Governour of these Realms, and over all Persons therein; and that it is unlawful for Subjects, on any pretence, or for any cause whatsoever, to rise in Arms against Him, or any Commissionated by Him, and that I shall never so rise in Arms, nor assist any who shall so do; and that I shall never resist His Power or Authority, nor ever oppose his Authority to his Person, as I shall answer to God; but shall to the utmost of my Power Assist, Defend, and Maintain Him, His Heirs and lawful Successors, in the exercise of their ABSOLUTE POWER and Authority against

all Deadly. So help me God. And seeing many of Our good Subjects have, before Our Pleasure in these Matters was made publick, incurred the Guilt appointed by the *Acts of Parliament* above-mentioned, or others; We, by Our Authority, and Absolute Power and Prerogative Royal above-mentioned, of Our certain Knowledge, and innate Mercy, Give Our ample and full *Indemnity* to all those of the *Roman Catholick* or *Popish Religion*, for all things by them done contrary to Our *Laws* or *Acts of Parliament*, made in any time past, relating to their *Religion*, the Worship and Exercise thereof, or for being *Papists*, *Jesuits*, or *Traffickers*, for hearing or saying of *Mass*, concealing of Priests or Jesuits, breeding their Children *Catholicks* at home or abroad, or any other thing, Rite or Doctrine, said, performed, or maintained by them, or any of them: And likewise, for holding or taking of Places, Employments, or Offices, contrary to any Law or Constitution, Advices given to Us, or Our Council, Actions done, or generally any thing performed or said against the known *Laws* of that Our Ancient Kingdom: Excepting always from this Our Royal *Indemnity*, all Murders, Assassinations, Thefts, and such like other Crimes, which never used to be comprehended in Our General *Acts of Indemnity*. And we command and require all Our Judges, or others concerned, to explain this in the most Ample Sense and Meaning *Acts of Indemnity* at any time have contained: Declaring this shall be as good to every one concerned, as if they had Our Royal *Pardon* and *Remission* under Our *Great Seal* of that *Kingdom*. And likewise indemnifying Our *Protestant Subjects* from all Pains and Penalties due for hearing or Preaching in Houses; Providing there be no Treatonable Speeches uttered in the said Conventicles by them, in which case the Law is only to take place against the Guilty, and none other present; Providing also that they Reveal to any of our *Council* the Guilt so committed; As also, excepting all Fines, or Effects of Sentences already given. And likewise indemnifying fully and freely all *Quakers*, for their Meetings and Worship,

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in all time past, preceding the Publication of these Presents. And we doubt not but Our *Protestant Subjects* will give their Assistance and Concourse hereunto, on all occasions, in their respective Capacities. In consideration whereof, and the ease those of Our *Religion*, and others may have hereby, and for the Encouragement of Our *Protestant Bishops*, and the Regular *Clergy*, and such as have hitherto lived orderly, We think fit to declare, that it never was Our Principle, nor will We ever suffer violence to be offered to any Mans Conscience, nor will We use force, or *Invincible Necessity* against any Man on the Account of his *Perswasion*, nor the *Protestant Religion*, but will protect Our *Bishops* and other *Ministers* in their Functions, Rights, and Properties, and all Our *Protestant Subjects* in the free Exercise of their *Protestant Religion* in the *Churches*. And that We will, and hereby Promise, on Our Royal Word, to maintain the Possessors of *Church Lands* formerly belonging to *Abbeys*, or other *Churches* of the *Catholick Religion*, in their full and free Possession and Right according to Our *Laws* and *Acts* of *Parliament* in that behalf in all time coming. And We will employ indifferently all our *Subjects* of all *Perswasions*, so as none shall meet with any Discouragement, on the account of his *Religion*, but be advanced, and esteemed by Us, according to their severall Capacities and Qualifications, so long as we find Charity and Unity maintained. And if any *Animosities* shall arise, as We hope in God there will not, We will shew the severest Effects of Our Royal Displeasure against the *Beginners* or *Fomenters* thereof, seeing thereby Our *Subjects* may be deprived of this general Ease and Satisfaction, We intend to all of them, whose Happiness, Prosperity, Wealth and Safety, is so much Our Royal Care, that we will leave nothing undone which may procure these Blessings for them. And lastly, to the End all Our good *Subjects* may have Notice of this Our Royal Will and Pleasure, we do hereby command Our *Lyon King* at Arms, and his Brethren *Heralds*, *Macers*, *Purservants* and *Messengers* at Arms, to make  
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timous *Proclamation* thereof at the Mercat Crofs of *Edinburgh*; And besides the Printing and Publishing of this Our Royal Proclamation, it is Our exprefs Will and Pleasure, that the same be past under the great Seal of that   
 ↪ Our Kingdom per saltum, without passing any other Seal or Register. In Order whereunto, this shall be to the *Directors* of Our Chancellery, and their Deputies for writing the same, and to Our *Chancellor* for causing Our Great Seal aforefaid, to be appended thereunto, a sufficient Warrant.

*Given at Our Court at Whitehal the twelfth day of Febr. 1687. And of Our Reign the third year.*

By His Majesties Command.

MELFORT.

GOD SAVE THE KING.

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## LETTER

Containing some

## REFLECTIONS

On His MAJESTY'S

## DECLARATION

FOR

## LIBERTY of CONSCIENCE.

Dated the Fourth of *April*, 1687.

S I R,

I Thank you for the Favour of sending me the late *Declaration* that His Majesty has granted for *Liberty of Conscience*. I confess, I longed for it with great Impatience, and was surpris'd to find it so different from the *Scotch Pattern*; for I imagined, that it was to be set to the Second Part of the same Tune: nor can I see why the Penners of this have sunk so much in their Style; for I suppose the same Men penned both. I expected to have seen the Imperial Language of *Absolute Power*, to which all the Subjects are to obey without Reserve; and of the casting, annulling, the stopping, and disabling of Laws set forth in the Preamble and Body of this *Declaration*; whereas those dreadful Words are not to be found here: for in stead of *repealing the Laws*, His Majesty pretends by this only to *suspend them*; and tho' in effect this amounts to a *Repeal*, yet

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it must be confessed that the Words are softer. Now since the *Absolute Power*, to which His Majesty pretends in *Scotland*, is not founded on such poor things as *Law*; for that would look as if it were the Gift of the *People*; but on the Divine Authority, which is supposed to be delegated to His Majesty, this may be as well claimed in *England*, as it was in *Scotland*: and the pretension to *Absolute Power* is so great a thing, that since His Majesty thought fit once to claim it, he is little beholden to those that make him fall so much in his Language; especially since both these *Declarations* have appeared in our *Gazettes*; so that as we see what is done in *Scotland*, we know from thence what is in some Peoples Hearts, and what we may expect in *England*.

II. His Majesty tells his People, that *the perfect Enjoyment of their Property has never been in any Case invaded by him since his coming to the Crown*. This is indeed matter of great Encouragement to all good Subjects; for it lets them see, that such Invasions as have been made on *Property*, have been done without His Majesty's knowledge: so that no doubt the continuing to levy the *Customs* and the *Additional Excise* (which had been granted only during the late King's Life) before the *Parliament* could meet to renew the Grant, was done without His Majesty's knowledge; the many Violences committed not only by *Soldiers*, but *Officers*, in all the *Parts of England*, which are severe Invasions on *Property*, have been all without his Majesty's knowledge; and since the first Branch of *Property* is the Right that a Man has to his *Life*, the strange Essay of *Mahometan Government* that was shewed at *Taunton*; and the no less strange Proceedings of the present *Lord Chancellor*, in his *Circuit* after the *Rebellion*, (which are very justly called *His Campagne*, for it was an open Act of Hostility to all *Law*) and for which, and other Services of the like nature, it is believed he has had the Reward of the *Great Seal*, and the *Executions* of those who have left their *Colours*, which being founded on no *Law*, are no other than so many *Murders*; all these, I say, are as we are sure, Invasions on *Property*: But since the King tells us, that no such *Invasions* have been made since he came to the *Crown*, we must conclude, that all these things have fallen out without his Privity. And if a *Standing Army*, in time of Peace, has

has been ever look'd on by this Nation as an Attempt upon the whole Property of the Nation in gross, one must conclude, that even this is done without His Majesty's knowledge.

III. His Majesty expresses his Charity for us in a kind Wish, *That we were all Members of the Catholick Church*: In return to which, we offer up daily our most earnest Prayers for him, That he may become a Member of the *truly Catholick Church*; for Wishes and Prayers do no hurt on no side: But His Majesty adds, *That it has ever been his Opinion, that Conscience ought not to be constrained, nor People forced in Matters of meer Religion.* We are very happy, if this continues to be always his Sense; but we are sure in this he is no obedient Member of that which he means by the *Catholick Church*: for it has over and over again decreed the *Extirpation of Hereticks*: It encourages Princes to it, by the Offer of the Pardon of their Sins; it threatens them to it, by denouncing to them not only the Judgments of God, but that which is more sensible, the loss of their *Dominions*: and it seems they intend to make us know that part of their Doctrine, even before we come to feel it, since tho' some of that Communion would take away the Horror which the Fourth Council of the *Lateran* gives us, in which these things were decreed, by denying it to be a *General Council*, and rejecting the Authority of those *Canons*; yea the most learned of all the *Apostates* that has fallen to them from our Church, has so lately given up this Plea, and has so formally acknowledged the Authority of that Council, and of its *Canons*, that it seems they think they are bound to this piece of fair dealing, of warning us before-hand of our Danger. It is true, *Bellarmin* says, *The Church does not always execute her Power of Deposing Heretical Princes, tho' she always retains it*: one Reason that he assigns, is, *Because she is not at all times able to put it in execution*: so the same Reason may perhaps make it appear unadvisable to *extirpate Hereticks*, because that at present it cannot be done; but the *Right* remains entire, and is put in execution in such an unrelenting manner in all Places where that *Religion* prevails, that it has a very ill Grace, to see any Member of that Church speak in this strain: and when neither the *Policy* of France, nor the Greatness of their *Monarch*, nor yet the Interests of the Em-

perour joined to the Gentleness of his own Temper, could withstand these Bloody Councils, that are indeed parts of that *Religion*, we can see no Reason to induce us to believe, that a *Toleration of Religion* is proposed with any other Design, but either to divide us, or to lay us asleep, till it is time to give the Alarm for destroying us.

IV. If all the *Endeavours that have been used in the last four Reigns, for bringing the Subjects of this Kingdom to a Unity in Religion, have been ineffectual*, as His Majesty says, we know to whom we owe both the first Beginnings and the Progress of the Divisions among our selves: the Gentleness of *Queen Elizabeth's* Government, and the numbers of those that adhered to the *Church of Rome*, made it scarce possible to put an end to that Party during her Reign, which has been ever since restless, and has had credit enough at *Court* during the three last *Reigns*, not only to support it self, but to distract us, and to divert us from apprehending the danger of being swallowed up by them, by fomenting our own Differences, and by setting on either a *Toleration*, or a *Persecution*, as it has hapned to serve their *Interests*. It is not so very long since, that nothing was to be heard at *Court* but the supporting the *Church of England*, and the extirpating all the *Nonconformists*; and it were easie to name the Persons, if it were decent, that had this ever in their Mouths: but now all is turned round again, the *Church of England* is in disgrace; and now the Encouragement of *Trade*, the Quiet of the *Nation*, and the Freedom of *Conscience* are again in vogue, that were such odious things but a few years ago, that the very mentioning of them was enough to load any Man with Suspicions, as backward in the *King's* Service, while such Methods are used, and the Government is as in an *Ague*, divided between hot and cold Fits, no wonder if *Laws* so unsteadily executed have failed of their Effect.

V. There is a good Reserve here left for *Severity*, when the proper Opportunity to set it on presents it self: for His Majesty declares himself only against the *forcing of Men in Matters of meer Religion*: so that whensoever Religion and Policy come to be so interwoven, that *meer Religion* is not the Case, and that *Publick Safety* may be pretended, then this *Declaration* is to be no more claimed: so that the fastning any



any thing upon the *Protestant Religion*, that is inconsistent with the Publick Peace, will be pretended to shew that they are not persecuted for *meer Religion*. In *France*, when it was resolved to extirpate the *Protestants*, all the Discourses that were written on that Subject were full of the *Wars* occasioned by those of the *Religion* in the last Age; tho' as these were the happy Occasions of bringing the House of *Bourbon* to the *Crown*, they had been ended above 80 Years ago, and there had not been so much as the least Tumult raised by them these 50 Years past: so that the *French*, who have smarted under this Severity, could not be charged with the least Infraction of the *Law*: yet Stories of a hundred Years old were raised up to inspire into the *King* those Apprehensions of them, which have produced the terrible Effects that are visible to all the World. There is another *Expression* in this *Declaration*, which lets us likewise see with what caution the Offers of Favour are now worded, that so there may be an Occasion given, when the Time and Conjunction shall be favourable, to break thro' them all: it is in these words; *So that they take especial Care, that nothing be preached or taught amongst them, which may any ways tend to alienate the Hearts of our People from us or our Government.* This in itself is very reasonable, and could admit of no Exception, if we had not to do with a set of *Men*; who to our great Misfortune have so much Credit with his *Majesty*, and who will be no sooner lodged in the Power to which they pretend, than they will make every thing that is preached against *Papery* pass for that which may in some manner alienate the *Subjects* from the *King*.

VI. *His Majesty* makes no doubt of the Concurrence of his two Houses of *Parliament*, when he shall think it convenient for them to meet. The Hearts of *Kings* are unsearchable; so that it is a little too presumptuous to look into His *Majesties* secret Thoughts: but according to the Judgments that we would make of other Mens Thoughts by their Actions, one would be tempted to think, that His *Majesty* made some doubt of it, since his Affairs both at home and abroad could not go the worse, if it appeared that there were a perfect Understanding between Him and His *Parliament*, and that his *People* were supporting him with fresh *Supplies*; and this House  
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of Commons is so much at his devotion, that all the World saw how ready they were to grant every thing that he could desire of them, till he began to lay off the Masque with relation to the *Test*, and since that time the frequent *Prerogations*, the *Closetting*, and the Pains that has been taken to gain *Members*, by Promises made to some, and the Disgraces of others, would make one a little inclined to think, that *some doubt was made of their Concurrence*. But we must confess, that the depth of His Majesty's Judgment is such, that we cannot fathom it, and therefore we cannot guess what his Doubts or his Assurances are. It is true, the words that come after unriddle the Mystery a little, which are, *when His Majesty shall think it convenient for them to meet*: for the meaning of this seems plain, that His Majesty is resolved that they shall never meet, till he receives such Assurances, in a new round of *Closetting*, that he shall be put out of doubt concerning it.

VII. I will not enter into the Dispute concerning *Liberty of Conscience*, and the *Reasons* that may be offered for it to a *Session of Parliament*: for there is scarce any one Point, that either with relation to *Religion*, or *Politicks*, affords a greater variety of Matter for Reflection: and I make no doubt to say, that there is abundance of Reason to oblige a *Parliament* to review all the *Penal Laws*, either with relation to *Papists*, or to *Dissenters*: but I will take the boldness to add one thing, that the *King's suspending of Laws* strikes at the root of this whole *Government*, and subverts it quite: for if there is any thing certain with relation to the *English Government*, it is this, that the *Executive Power of the Law is entirely in the King*; and the *Law* to fortifie him in the Management of it, has clothed him with a vast *Prerogative*, and made it unlawful upon any Pretence whatsoever to resist him: whereas on the other Hand, the *Legislative Power* is not so entirely in the *King*, but that the *Lords and Commons* have such a share in it, that no *Law* can be either *made, repealed, or, which is all one, suspended*, but by their Consent: so that the placing this *Legislative Power*, singly in the *King*, is a Subversion of this whole *Government*; since the Essence of all Governments consists in the Subjects of the *Legislative Authority*; Acts of Violence or Injustice, committed in the *Executive* part,

part, are such things that all *Princes* being subject to them, the Peace of Mankind were very ill secured, if it were not unlawful to resist upon any Pretence taken from any ill Administrations, in which as the *Law* may be doubtful, so the Facts may be uncertain, and at worst the Publick Peace must always be more valued, than any private Oppressions or Injuries whatsoever. But the total *Subversion* of a *Government*, being so contrary to the *Trust* that is given to the *Prince* who ought to execute it, will put Men upon uneasie and dangerous Inquiries; which will turn little to the Advantage of those who are driving Matters to such a doubtful and desperate Issue.

VIII. If there is any thing in which the Exercise of the *Legislative Power* seems Indispensible, it is in those *Oaths of Allegiance* and *Tests* that are thought necessary to qualifie Men either to be admitted to enjoy the Protection of the *Law*, or to bear a Share in the *Government*; for in these the Security of the Government is chiefly concerned; and therefore the total extinction of these, as it is not only a Suspension of them, but a plain Repealing of them, so it is a *Subverting* of the whole Foundation of our *Government*: For the Regulation that *King* and *Parliament* had set, both for the Subjects having the Protection of the State by the *Oath of Allegiance*, and for a share in Places of Trust by the *Tests*, is now pluckt up by the Roots, when it is declared, *That these shall not at any time hereafter be required to be taken or subscribed by any Persons whatsoever*: for it is plain, that this is no *Suspension* of the *Law*, but a formal *Repeal* of it, in as plain Words as can be conceived.

IX. His Majesty says, that *the Benefit of the Service of all his Subjects, is by the Law of Nature inseparably annexed to, and inherent in his Sacred Person*. It is somewhat strange, that, when so many *Laws*, that we all know are suspended, the *Law of Nature*, which is so hard to be found out, should be cited; but the Penners of this *Declaration* had best let *that Law* lie forgotten among the rest; for there is a scurvy Paragraph in it, concerning *Self-preservation*, that is capable of very unacceptable Glosses. It is hard to tell what Section of the *Law of Nature* has mark'd out either such a *Form of Government*, or such a *Family* for it. And if his Majesty renounces his  
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Pretensions to our *Allegiance* as founded on the *Laws of England*, and betakes himself to this *Law of Nature*, he will perhaps find the Counsel was a little too rash: But to make the most of this that can be, the *Law of Nations* or *Nature* does indeed allow the *Governours* of all Societies a Power to serve themselves of every Member of it in the cases of extreme Danger; but no *Law of Nature* that has been yet heard of, will conclude, that if by *special Laws* a sort of Men have been disabled from all Employments, that a *Prince* who at his Coronation *swore* to maintain those *Laws*, may at his pleasure extinguish all these Disabilities.

X. At the end of the *Declaration*, as in a Postscript, His Majesty assures his Subjects, that he will *maintain them in their Properties, as well in Church and Abby-Lands, as other Lands*: But the Chief of all their *Properties* being the share that they have by their *Representatives* in the *Legislative Power*; this *Declaration* which breaks thro' that, is no great Evidence that the rest will be maintained: And to speak plainly, when a *Coronation Oath* is so little remembered, other *Promises* must have a proportioned degree of Credit given to them: As for the *Abbey-Lands*, the keeping them from the *Church*, is according to the Principles of that Religion, *Sacrilege*; and that is a *Mortal Sin*, and there can no *Absolution* be given to any who continue in it: And so this *Promise* being an Obligation to maintain men in a *Mortal Sin*, is null and void of it is self: *Church-Lands* are also according to the Doctrine of their *Canonists*, so immediately *Gods Right*; that the *Pope* himself is only the Administrator and Dispenser, but is not the Master of them; he can indeed make a truck for God, or let them so low, that God shall be an easie Landlord, but he cannot alter God's *Property*, nor translate the Right that is in him to *Sacrilegious Laymen* and *Hereticks*.

XI. One of the Effects of this *Declaration*, will be the setting on foot a new run of *Addresses* over the *Nation*: For there is nothing how impudent and base fover, of which the abject Flattery of a slavish Spirit is not capable: It must be confessed, to the Reproach of the Age, that all those strains of Flattery among the *Romans*, that *Tacitus* sets forth with so much just Scorn, are modest things, compared to what this *Nation* has produced within these *seven Years*; only if our  
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Flattery has come short of the Refinedness of the *Romans*, it has exceeded theirs as much in its loathed Fullomness. The late *King* set out a *Declaration*, in which he gave the most solemn Assurances possible of his adhering to the *Church of England*, and to the *Religion established by Law*, and of his Resolution to have frequent *Parliaments*; upon which the whole *Nation* fell, as it were, into Raptures of Joy and Flattery: But tho' he lived four Years after that, he called no *Parliament*, notwithstanding the *Law for Triennial Parliaments*; and the manner of his *Death*, and the *Papers* printed after his Death in his Name, have sufficiently shewed, that he was equally sincere in both those Assurances that he gave, as well in that relating to *Religion*, as in that other relating to frequent *Parliaments*; yet upon his *Death* a new set of *Addressses* appeared, in which all that Flattery could invent, was brought forth, in the Commendations of a *Prince*, to whose *Memory* the greatest kindness can be done, is to forget him. And because his present *Majesty* upon his coming to the *Throne*, gave some very general *Promise* of *Maintaining the Church of England*, this was magnified in so extravagant a strain, as if it had been a security greater than any that the *Law* could give; tho' by the regard that the *King* has both to it, and to the *Laws*, it appears that he is resolved to maintain both equally. Since then the *Nation* has already made it self sufficiently ridiculous both to the present, and to all succeeding Ages, it is time that at last men should grow weary, and become ashamed of their Folly.

XII. The *Nonconformists* are now invited to set an Example to the rest; and they who have valued themselves hitherto upon their Opposition to *Poper*y, and that have quarrelled with the *Church of England*, for some small Approaches to it, in a few *Ceremonies*, are now solicited to rejoyce, because the *Laws* that secure us against it, are all plucked up; since they enjoy at present and during pleasure, leave to meet together. It is natural for all men to love to be set at ease, especially in the matters of their Consciences; but it is visible, that those who allow them this favour, do it with no other design, but that under a pretence of a *General Toleration*, they may introduce a *Religion* which must persecute all equally: It is likewise apparent how much they are hated, and how much

they have been persecuted by the Instigation of those who now court them, and who have now no Game that is more promising, than the engaging *them* and the *Church of England* into new Quarrels: And as for the *Promises* now made to them, it cannot be supposed that they will be more lasting than those that were made some time ago to the *Church of England*, who had both a better Title in *Law*, and greater Merit upon the *Crown* to assure them that they should be well used, than these can pretend to. The *Nation* has scarce forgiven some of the *Church of England* the *Persecution* into which they have suffered themselves to be coufened; tho' now that they see *Popery* barefac'd, the Stand that they have made, and the vigorous opposition that they have given to it, is that which makes all men willing to forget what is past, and raises again the Glory of a *Church* that was not a little stained by the Indiscretion and Weakness of those that were too apt to believe and hope, and so suffered themselves to be made a *Property* to those who would now make them a *Sacrifice*. The Sufferings of the *Nonconformists*, and the Fury that the *Popish Party* expressed against them, had recommended them so much to the Compassions of the *Nation*, and had given them so just a Pretension to favour in a better time, that it will look like a Curse of God upon them, if a few *men*, whom the Court has gained to betray them, can have such an ill Influence upon them as to make them throw away all that Merit, and those Compassions which their Sufferings have procured them; and to go and court those who are only seemingly kind to them, that they may destroy both *them* and *us*. They must remember, that as the *Church of England* is the only Establishment that our *Religion* has by *Law*, so it is the main body of the *Nation*, and all the *Sects* are but small and stragling Parties: and if the legal Settlement of the *Church* is dissolved, and that Body is once broken, these lesser Bodies will be all at mercy; and it is an easie thing to define what the Mercies of the *Church of Rome* are.

XIII. But tho' it must be confessed, that the *Nonconformists* are still under some Temptations to receive every thing that gives them present ease, with a little too much kindness, since they lie exposed to many severe *Laws*, of which they have of late felt the weight very heavily; and as they are  
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men, and some of them as ill-natured men as other People, so it is no wonder, if upon the first Surprises of the *Declaration*, they are a little delighted to see the *Church of England*, after all its Services and Submissions to the *Court*, so much mortified by it; so that taking all together, it will not be strange if they commit some Follies upon this occasion. Yet on the other hand, it passes all imagination, to see some of the *Church of England*, especially those whose Natures we know are so particularly sharpened in the point of *Persecution*, chiefly when it is levelled against the *Dissenters*, rejoyce at this *Declaration*, and make *Addresses* upon it. It is hard to think that they have attained to so high a pitch of Christian Charity, as to thank those who do now *despitefully use them*, and that as an earnest that within a little while they will *persecute* them. This will be an Original, and a Master-piece in Flattery, which must needs draw the last degrees of Contempt on, such as are capable of so abject and fordid a compliance, and that not only from all the true *Members* of the *Church of England*, but likewise from those of the *Church of Rome* it self; for every man is apt to esteem an Enemy that is brave even in his Misfortunes, as much as he despises those whose minds sink with their Condition. For what is it that these men would thank the *King*? Is it because he breaks those *Laws* that are made in their favour, and for their Protection, and is now striking at the Root of all the legal Settlement that they have for their *Religion*? Or is it because that at the same time that the *King* professes a *Religion* that condemns his *Supremacy*, yet he is not contented with the Exercise of it as it is warranted by *Law*, but carries it so far as to erect a *Court* contrary to the express words of a *Law* that was so lately made? That *Court* takes care to maintain a due proportion between their *Constitution* and all their *Proceedings*, that so all may be of a piece, and all equally contrary to *Law*. They have suspended one *Bishop* only because he would not do that which was not in his power to do; for since there is no *Extrajudiciary Authority* in *England*, a *Bishop* can no more proceed to a Sentence of Suspension against a *Clergy-man* without a *Trial*, and the hearing of Parties, than a *Judge* can give a Sentence in his Chamber without an *Indictment*, a *Trial*, or a *Jury*; and because one of

the *Greatest Bodies of England* would not break their *Oaths*, and obey a *Mandate* that plainly contradicted them, we see to what a pitch this is like to be carried. I will not anticipate upon this *illegal Court*, to tell what Judgments are coming, but without carrying our Jealousies too far, one may safely conclude, that they will never depart so far from their first *Institution*, as to have any regard, either to our *Religion*, or our *Laws*, or *Liberties*, in any thing they do. If all this were acted by avowed *Papists*, as we are sure it is projected by such, there were nothing extraordinary in it: but that which carries our Indignation a little too far to be easily governed, is to see some *pretended Protestants*, and a few *Bishops*, among those that are the fatal *Instruments* of pulling down the *Church of England*; and that those *Mercenaries* sacrifice their *Religion* and their *Church* to their *Ambition* and *Interests*: this has such peculiar Characters of Misfortune upon it, that it seems it is not enough if we perish without *Pity*, since we fall by that hand that we have so much supported and fortified, but we must become the *Scorn* of all the *World*, since we have produced such an unnatural *Brood*, that even while they are pretending to be the *Sons* of the *Church of England*, are cutting their *Mother's Throat*; and not content with *Judas's Crime*, of saying, *Hail Master*, and *kissing* him, while they are betraying him into the hands of others; these carry their *Wickedness* further, and say, *Hail, Mother*, and then they themselves *Murder* her. If after all this we were called on to bear this as *Christians*, and to suffer it as *Subjects*; if we were required in *Patience* to possess our own *Souls*, and to be in *Charity* with our *Enemies*, and which is more, to forgive our *False Brethren*, who add *Treachery* to their *Hatred*: The *Exhortation* were seasonable, and indeed a little necessary; for human *Nature* cannot easily take down things of such a hard digestion; but to tell us that *We* must make *Addresses*, and offer *Thanks* for all this, is to insult a little too much upon us in our *Sufferings*: And he that can believe that a dry and cautiously worded *Promise* of maintaining the *Church of England*, will be religiously observed; after all that we have seen; and is upon that carried so far out of his *Wits*, as to *Address* and give *Thanks*, and will believe still, such a man has nothing to excuse him



him from believing *Transubstantiation* it self; for it is plain that he can bring himself to believe even when the thing is contrary to the clearest Evidence that his Senses can give him.

*Si populus hic vult decipi decipiatur.*

P O S C R I P T.

**T**Hese Reflections were writ soon after the Declaration came to my Hands, but the Matter of them was so tender, and the Conveyance of them to the Press was so uneasy, that they appear now too late to have one Effect that was designed by them, which was, the diverting Men from making Addresses upon it; yet if what is here proposed, makes Men become so far wise as to be ashamed of what they have done, and is a means to keep them from carrying their Courtship further than good Words, this Paper will not come too late.

AN

A N  
 A N S W E R  
 T O  
 Mr. HENRY PAYNE'S LETTER  
 Concerning His MAJESTY'S  
 DECLARATION  
 O F  
 INDULGENCE.

Writ to the Author of

*The* LETTER to a DISSENTER.

Mr. PAYNE,

**I** Cannot hold asking you, how much *Money* you had from the *Writer* of the *Paper* which you pretend to *Answer*? For as you have the **Character of a Man** that deals with both **Hands**, so this is writ in such a manner, as to make one think you were hired to it by the Adverse Party: But it has been indeed so ordinary to your Friends, to write in this manner of late, that the Censures upon it are divided, both fall heavy: Some suspect their Sincerity, others accuse them for want of a right Understanding: For tho' all are not of the pitch of the *Irish Priests* Reflections on the Bishop of *Bath and Wells* his Sermon, which was indeed *Irish* double refined; yet both in your Books of **Controversie**, and **Policy**, and even in your *Poems*,

*Poems*, you seem to have entred into such an Intermixture with the *Irish*, that the Thred all over is *Linsie-woolse*. You acknowledge, that the Gentleman whom you answer has a *Polite Pen*, and that his *Letter is an ingenious Paper, and made up of well-composed Sentences and Periods*: Yet I believe he will hardly return you your Complement. If it was well writ, your Party wants either Men or Judgment extremely, in allowing you this Province of answering it. If the *Paper* did you some hurt, you had better have let the *Town* be a little pleased with it for a while, and have hoped that a little Time, or some new Paper, (tho' one of its force is scarce to be expected) should have worn it out, than to give it a new Lustre by such an *Answer*.

The *Time of the Dissenters Sufferings*, which you lengthen out to *Twenty seven Years*, will hardly amount to *Seven*. For the long Intervals it had, in the last *Reign*, are not forgot: and those who animated the latest and severest of their Sufferings are such, that in good manners you ought not to reflect on *their* Conduct. *Opium* is as certain a *Poyson*, tho' not so *violent*, as *Sublimate*; and if more *corrosive Medicines* did not work, the *Design* is the same, when *soporiferous* ones are used; since the Patient is to be killed both ways, and it seems that all that is in debate, is, which is the safer: The accepting a present Ease, when the ill intent with which it is offered is visible, is just as wise an Action, as to take *Opium* to lay a small Distemper, when one may conclude from the *Dose*, that he will never come out of the Sleep. So that after all, it is plain on which side the *Madness* lies. The *Dissenters*, for a little present ease, to be enjoyed at mercy, must concur to break down all our Hedges, and to lay us open to that devouring *Power*, before which nothing can stand that will not *worship* it.

All that for which you reproach the *Church of England*, amounts to this, that a few good Words could not persuade her to destroy her self, and to sacrifice her *Religion* and the *Laws* to a Party that never has done, nor ever can do the *King* half the Service [that She has rendred him. There are some sorts of Propositions that a Man does not know how to answer; nor would he be thought ingrateful, who after he had received some Civilities from a Person

Person to whom he had done great Service, could not be prevailed with by these so far, as to spare him his Wife or his Daughter. It must argue a peculiar degree of Confidence, to ask things that are above the being either ask'd or granted. Our *Religion* and our *Government* are Matters that are not to be parted with to shew our good Breeding; and of all Men living, you ought not to pretend to *Good Manners*, who talk as you do, of the *Oppression* of the last *Reign*. When the *King's* Obligations to his *Brother*, and the share that he had in his *Councils*, are considered, the reproaching his *Government* has so ill a grace, that you are as indecent in your *Flatteries*, as injurious in your *Reflections*. And by this *Gratitude* of yours to the Memory of the late *King*, the *Church of England* may easily infer, how long all her *Services* would be remembered, even if she had done all that was desired of her.

I would fain know which of the *Brethren of the Dissenters in Foreign Countries* sought their *Relief from Rebellion*. The *Germans* Reformed by the Authority of their *Princes*, so did the *Svedes*, the *Danes*, and likewise the *Switzers*. In *France* they maintained the *Princes of the Blood* against the *League*; and in *Holland* the *Quarrel* was for *Civil Liberties*, *Protestant* and *Papist* concurring equally in it. You mention *Holland* as an Instance that *Liberty* and *Infallibility* can dwell together; since *Papists* there shew that they can be friendly *Neighbours* to those whom they think in the wrong. It is very like they would be still so in *England*, if they were under the *Lash* of the *Law*, and so were upon their *Good-behaviour*, the *Government* being still against them: And this has so good an effect in *Holland*, that I hope we shall never depart from the *Dutch* Pattern. Some can be very *Humble Servants*, that would prove *Imperious Masters*. You say, that *Force* is our only *Supporter*: but tho' there is no *Force* of our *Side* at present, it does not appear, that we are in such a tottering condition, as if we had no *Supporter* left us. *God* and *Truth* are of our side; and the indiscreet use of *Force*, when set on by our *Enemies*, has rather undermined than supported us. But you have taken pains to make us grow wiser, and to let us see our *Errors*, which is perhaps the only *Obligation* that we owe you; and we are so sensible of it,

it, that without examining what your Intentions may have been in it, we heartily thank you for it.

I do not comprehend what your Quarrel is at the *squinting Term* of the *next Heir*, as you call it; tho' I do not wonder, that *squinting* comes in your mind whensoever you think of H E R; for all People look *askint* at that which troubles them: and *Her* being the *next Heir*, is no less the *Delight* of all Good Men, than it is your *Affliction*: All the pains that you take to represent *Her* dreadful to the *Dissenters*, must needs find that credit with them, that is due to the Insinuations of an Enemy. It is very true, that as *She* was bred up in our *Church*, *She* adheres to it so eminently, as to make *Her* to be now our *chief Ornament*, as we hope *She* will be once our *main Defence*. If by the *strictest Form* of our *Church*, you mean an *Exemplary Piety*, and a *shining Conversation*, you have given *Her* true *Character*: But your Design lies another way, to make the *Dissenters* form strange Ideas of *Her*, as if *She* thought *all Indulgence to them Criminal*: But as the Gentleness of her Nature is such, that none but those who are so guilty, that all Mercy to them would be a Crime, can apprehend any thing that is terrible from *Her*; so as for the *Dissenters*, *Her* going so constantly to the *Dutch* and *French Churches*, shews, that *She* can very well endure their *Assemblies*, at the same time that *She* prefers ours. *She* has also too often expressed her dislike at the heats that have been kept up among us concerning such inconsiderable Differences, to pass for a *Bigot* or *Persecutor* in such Matters; and *She* sees both the Mischiefs that the *Protestant Religion* has received from their Subdivisions, and the happiness of granting a *due Liberty of Conscience*, where *She* has so long lived, that there is no reason to make any *fantie* that *She* will either keep up our Differences, or bear down the *Dissenters* with Rigour. But because you hope for nothing from *Her* own Inclinations, you would have her terrified with the *strong Argument of Numbers*, which you *fantie* will certainly secure them from *Her* recalling the *Favour*. But of what side soever that Argument may be *strong*, sure it is not of theirs who make but *One to Two hundred*; and I suppose you scarce expect that the *Dissenters* will rebel, that you may

have your *Masses*; and how their Numbers will *secure them*, unless it be by enabling them to *Rebel*, I cannot imaginè: This is indeed a *squinting* at the *Next Heir* with a witness, when you would already muster up the Troops that must rise against *Her*. But let me tell you, that you know both *Her* Character and the *Princes* very ill, that fanstie they are only to be wrought on by *Fear*. They are known, to your great grief, to be above that; and it must be to their own merciful Inclinations, that you must owe all that you can expect under them; but neither to their *Fear*, nor to your own *Numbers*. As for the *Harred and Contempt*, even to the degree of *being more ridiculous than the Mass*, under which you say *Her* way of *Worship* is in *Holland*; this is one of those Figures of Speech that shew how exactly you have studied the *Jesuits* *Morals*. All that come from *Holland*, assure us, that She is so universally beloved and esteemed there, that every thing that she does, is the better thought of, even because *She* does it. Upon the whole matter, all that you say of the *Next Heir*, proves too truly that you are that for which you reproach the *Church of England*, a *Disciple of the Crown* only for the *Loaves*; for if you had that respect which you pretend for the *King*, you would have shewed it more upon this occasion.

Nor am I so much in love with your *Stylè*, as to imitate it; therefore I will not do you so great a pleasure, as to say the least thing that may reflect on that *Authority*, which the *Church of England* has taught me to reverence, even after all the *Disgraces* that She has received from it: and if She were not insuperably restrained by Her Principles, in stead of the *Thin Muster* with which you reproach *Her*, *She* could soon make so *Thick* a one, as would make the *Thinness* of yours very visible, upon so unequal a Division of the Nation: But She will neither be threatened nor laughed out of Her *Religion* and Her *Loyalty*; tho' such Insultings as She meets with, that almost pass all *Humane Patience*, would tempt Men that had a less fixed Principle of Submission, to make their *Enemies* feel to their cost, that they owe all the *Triumphs* they make, more to our Principles, than to their own Force. Their laughing at our Doctrine of *Non-resistance*, lets us see, that

that it would be none of *theirs* under the *Next Heir*, at whom you *squint*, if the *strong Argument of Numbers* made you not apprehend, that *Two hundred to One* would prove an Unequal Match.

As for your *Memorandums*, I shall answer them as short as you give them.

1. It will be hard to persuade People, that a Decision in favour of the *Dispensing Power*, flowing from *Judges* that are both *made*, and *paid*, and that may be removed at *pleasure*, will amount to the *recognizing of that Right by Law*.

2. It will be hard to persuade the World, that the *King's* adhering to his *Promises*, and his *Coronation-Oath*, and to the known *Laws* of the Land, would make him *Felo de se*. The following of different Methods were the likelier way to it, if it were not for the *Loyalty of the Church of England*.

3. It will be very easie to see the Use of continuing the *Test by Law*; since all those that break thro' it, as well as the *Judges* who have authorized their Crimes, are still liable for all they do: and after all your *buffing*, with the *Dispensing Power*, we do not doubt but the apprehension of an after-reckoning sticks *deep* somewhere. You say, *It may be supposed, that the aversion of a Protestant King to the Popish Party, will sufficiently exclude them, even without the Test*: But it must be confessed, that you take all possible care to confirm that *Aversion* so far, as to put it beyond an *It may be supposed*. And it seems you understand *Christ's Prerogative*, as well as the *Judges* did the *King's*, that *sanctie the Test* is against it: it is so suitable to the nature of all *Governments*, to take Assurances of those who are admitted to Places of Trust, that you do very ill to appeal to an *Impartial Consideration*, for you are sure to lose it there.

Few *Englishmen* will believe you in earnest, when you seem zealous for *Publick Liberty*, or the *Magna Charta*; or that you are so very apprehensive of *Slavery*: And your Friends must have very much changed both their Natures and their Principles, if *their Conduct* does not give cause to renew the like Statutes against them, even tho' they should be repealed in this *Reign*, notwithstanding all your confidence to the contrary. I will still believe, that the *strong Argu-*

*ment of Numbers* will be always the powerfulest of all others with you : which as long as it has its *Force*, and no longer, we may hope to be at quiet. I concur heartily with you in your Prayers for the *King*, tho perhaps I differ from you in my Notions, both of His *Glory*, and of the *Felicity of his People*. And as for your own Particular, I wish you would either not at all employ your Pen, or learn to write to better purpose : But tho I cannot admire your Letter, yet I am

*Your Humble Servant,*

T. T.



A N

## ANSWER

T O A

## P A P E R

Printed with *Allowance*,

Entitled,

*A New Test of the Church of England's Loyalty.*

I. **T**HE Accusing the *Church of England* of Want of *Loyalty*, or the putting it to a *new Test*, after so fresh a one, with relation to His *Majesty*, argues a high degree of Confidence in him who undertakes it. *She* knew well what were the *Doctrines* and *Practices* of those of the *Roman Church*, with relation to *Hereticks*; and yet *She* was so true to her *Loyalty*, that *She* shut her Eyes on all the *Temptations* that so just a fear could raise in her: And *She* set her self to support His *Majesties* Right of *Succession*, with so much *Zeal*, that *She* thereby not only put her self in the power of her *Enemies*, but *She* has also exposed her self to the *Scorn* of those who insult over her in her *Misfortune*. *She* lost the *Affections* even of many of her own *Children*, who thought that her *Zeal* for an *Interest*, which was then so much decry'd, was a little too fervent: And all those who judged severely of the *Proceedings*, thought that the *Opposition* which *She* made to the side that then went so high, had more *Heat* than *Decency* in it. And indeed all this was so very extraordinary, that if *She* was not acted by a Principle of *Conscience*,

science, *She* could make no Excuse for her Conduct. There appeared such peculiar Marks of Affection and Heartiness at every time that the *Duke* was named, whether in drinking his Health, or upon graver Occasions, that it seemed affected: And when the late *King* himself ( whose Word they took, that he was a *Protestant* ) was spoke of but coldly, the very Name of the *Duke* set her Children all on fire; this made many conclude, that they were ready to sacrifice all to him: for indeed their Behaviour was inflamed with so much Heat, that the greater part of the *Nation* believed they waited for a fit opportunity to declare themselves. *Faith in Jesus Christ* was not a more frequent Subject of the Sermons of many, than *Loyalty*; and the *Right of the Succession to the Crown*, the Heat that appeared in the *Pulpit*, and the Learning that was in their *Books* on these Subjects, and the Eloquent Strains that were in their *Addresses*, were all *Originals*; and made the World conclude, That whatever might be laid to their charge, they should never be accused of any want of *Loyalty*, at least in this *King's* time, while the remembrance of so signal a Service was so fresh. When His Majesty came to the *Crown*, these men did so entirely depend on the Promise that he made *to maintain the Church of England*, that the doubting of the performance appeared to them the worst sort of *Infidelity*. They believed, that in His Majesty, the *Hero*, and the *King*, would be too strong for the *Papist*; and when any one told them, *How weak a tie the Faith of a Catholick to Hereticks must needs be*, they could not hearken to this with any patience; but looked on his Majesty's Promise as a thing so Sacred, that they employ'd their Interest to carry all *Elections of Parliament-men*, for those that were recommended by the *Court*, with so much Vigour, that it laid them open to much Censure. In *Parliament* they moved for no *Laws* to secure their *Religion*, but assuring themselves, that *Honour* was the *King's* *Idol*, they laid hold on it, and fancied, that a publick reliance on his *Word*, would give them an Interest in His Majesty, that was Generous, and more suitable to the Nobleness of a Princely Nature, than any new *Laws* could be; so that they acquiesced in it, and gave the *King* a vast *Revenue* for life. In the Rebellion that followed, they shewed with what Zeal they adhered to His

*Majesty*

*Majesty*, even against a Pretender that declared for them. And in the Session of *Parliament*, which came after that, they shewed their disposition to assist the *King* with new *Supplies*, and were willing to excuse and indemnify all that was past, only they desired with all possible Modesty, that the *Laws* which His *Majesty* had both *Promised*, and at his *Coronation* had *Sworn* to maintain, might be *executed*. Here is their Crime, which has raised all this Out cry; they did not move for the Execution of Severe or Penal *Laws*, but were willing to let those sleep, till it might appear by the behaviour of the *Papists*, whether they might deserve that there should be any Mitigation made of them in their Favour. Since that time, our *Church-men* have been constant in mixing their Zeal for their *Religion* against *Popery*, with a Zeal for *Loyalty* against *Rebellion*, because they think these two are very well consistent one with another. It is true, they have generally expressed an unwillingness to part with the *two Tests*, because they have no mind to trust the keeping of their Throats to those who they believe will cut them: And they have seen nothing in the Conduct of the *Papists*, either within or without the Kingdom, to make them grow weary of the *Laws* for their sakes; and the same Principle of common Sense, which makes it so hard for them to believe *Transubstantiation*, makes them conclude, That the *Author* of this Paper, and his *Friends*, are no other, than what they *hear* and *see*, and *know* them to be.

II. One Instance in which the *Church of England* shewed her Submission to the *Court*, was, that as soon as the *Nonconformists* had drawn a new Storm upon themselves, by their meddling in the matter of the *Exclusion*, many of her zealous *Members* went into that Prosecution of them, which the *Court* set on foot, with more Heat than was perhaps either justifiable in it self, or reasonable in those Circumstances; but how censurable soever some angry men may be, it is somewhat strange to see those of the *Church of Rome* blame us for it, which has decreed such unrelenting Severities against all that differ from her, and has enacted that not only in *Parliaments*, but even in *General Councils*. It must needs sound oddly to hear the Sons of a *Church* that must destroy all others as soon as it can compass it, yet complain of the

Excesses.

Excesses of *Fines* and *Imprisonments*, that have been of late among us. But if this Reproach seems a little strange when it is in the Mouth of a *Papist*, it is yet much more provoking when it comes from any of the *Court*. Were not all the *Orders* for the late *Severity* sent from thence? Did not the *Judges* in every *Circuit*, and the Favourite *Justices of Peace* in every *Sessions*, employ all their Eloquence on this *Subject*? The *Directions* that were given to the *Justices* and the *Grand Juries*, were all repeated Aggravations of this Matter; and a little *Ordinary Lawyer*, without any other visible Merit, but an outrageous Fury in those Matters, on which he has chiefly valued himself, was of a sudden taken into His *Majesties* special Favour, and raised up to the *Highest Posts* of the *Law*. All these things led some of our Obedient *Clergy* to look on it as a piece of their Duty to the *King* to encourage that *Severity*, of which the *Court* seemed so fond, that almost all People thought they had set it up for a Maxim, from which they would never depart. I will not pretend to excuse all that has been done of late years, but it is certain, that the most crying *Severities* have been acted by Persons that were raised up to be *Judges* and *Magistrates* for that very end; they were *Instructed*, *Trusted*, and *Reward-ed* for it, both in the *last*, and under the *present* Reign. *Church-Preferments* were distributed rather as *Recompences* of this devouring Zeal, than of a real Merit; and men of more moderate Tempers were not only ill lookt at, but ill used. So that it is in it self very unreasonable to throw the load of the late Rigour on the *Church of England*, without distinction; but it is worse than in good manners it is fit to call it, if this Reproach comes from the *Court*. And it is somewhat unbecoming to see that which was set on at one time, disowned at another, while yet he that was the *Chief Instrument* in it, is still in so high a *Post*, and begins now to treat the *Men* of the *Church of England* with the same *Brutal Excesses* that he bestowed so lately, and so liberally on the *Dissenters*, as if his Design were to render himself equally odious to all Mankind.

III. The *Church of England* may justly expostulate when she is treated as *Seditious*, after she has rendred the highest Services to the *Civil Authority*, that any *Church* now on Earth

has done: She has beaten down all the Principles of *Rebellion*, with more Force and Learning, than any Body of men has ever yet done; and has run the hazard of enraging her Enemies, and losing her Friends, even for those, from whom the more Learned of her Members knew well what they might expect. And since our *Author* likes the figure of a *Snake in ones Bosome* so well, I could tell him, that according to the *Apologue*, we took up, and sheltered an *Interest* that was almost dead, and by that warmth gave it life; which yet now with the *Snake in the Bosome*, is like to bite us to death. We do not say, we are the *only Church that has Principles of Loyalty*; but this we may say, That we are the *Church* in the World that carries them the *biggest*; as we know a *Church* that of all others sinks them the *lowest*. We do not pretend, that we are *Inevitable* in this Point, but acknowledge that some of our *Clergy* miscarried in it upon *King Edward's* Death: Yet at the same time others of our Communion adhered more steadily to their *Loyalty* in favour of *Queen Mary*, than *She* did to the *Promises* that she made to *them*. Upon this Subject our *Author*, by his false Quotation of *History*, forces me to set the *Reader* right, which if it proves to the disadvantage of his Cause, his Friends may thank him for it. I will not enter into so tedious a Digression, as the justifying *Queen Elizabeth's* being Legitimate, and the throwing the *Bastardy* on *Queen Mary*, must carry me to; this I will only say, That it was made out, that according to the best sort of *Arguments* used by the *Church of Rome*, I mean the constant Tradition of all Ages, *King Henry the VIII.* marrying with *Queen Katherine*, was *Incestuous*, and by Consequence *Queen Mary* was the *Bastard*, and *Queen Elizabeth* was the *Legitimate Issue*. But our *Author*, not satisfied with defaming *Queen Elizabeth*, tells us, that the *Church of England* was no sooner set up by her, than *She Enacted those Bloody Cannibal Laws to Hang, Draw, and Quarter the Priests of the living God*. But since these *Laws* disturb him so much, What does he think of the *Laws* of *Burning the poor Servants of the living God*, because they cannot give *Divine Worship* to that which they believe to be only a *Piece of Bread*? The Representation he gives of this part of our *History*, is so false, that tho' upon

*Queen Elizabeth's* coming to the *Crown*, there were many Complaints exhibited of the illegal Violences that *Bonner* and other Butchers had committed; yet all these were stifled, and no *Penal Laws* were enacted against those of that *Religion*. The *Popish Clergy* were indeed turned out, but they were well used, and had Pensions assigned them; so ready was the *Queen* and our *Church* to forgive what was past, and to shew all Gentleness for the future. During the first thirteen years of her *Reign*, matters went on calmly, without any sort of Severity on the account of *Religion*. But then the restless Spirit of that Party began to throw the Nation into violent Convulsions. The *Pope* deposed the *Queen*, and one of the Party had the Impudence to post up the *Bull* in *London*; upon this followed several *Rebellions*, both in *England* and *Ireland*, and the *Papists* of both *Kingdoms* entred into Confederacies with the *King of Spain* and the *Court of Rome*: The *Priests* disposed all the *People* that depended on them, to submit to the *Pope's* Authority in that *Deposition*, and to reject the *Queen's*. These Endeavours, besides open *Rebellions*, produced many secret Practices against her Life. All these things gave the rise to the severe *Laws*, which began not to be enacted before the twentieth year of her *Reign*. A War was formed by the *Bull of Deposition*, between the *Queen* and the *Court of Rome*, so it was a necessary piece of Precaution to declare all those to be Traitors, who were the *Missionaries* of that Authority which had stript the *Queen* of hers: Yet those *Laws* were not executed upon some *Secular Priests* who had the Honesty to condemn the *Deposing Doctrine*. As for the *Unhappy Death* of the *Queen of Scotland*, it was brought on by the wicked Practices of her own Party, who fatally involved her in some of them: She was but a *Subject* here in *England*, and if the *Queen* took a more violent way than was decent for her own Security; here was no *Disloyalty* nor *Rebellion* in the *Church of England*, which owed her no sort of *Allegiance*.

IV. I do not pretend that the *Church of England* has any great cause to value her self upon her Fidelity to *King Charles the First*, tho' our *Author* would have it pass for the only thing of which She can boast; for I confess, the cause

of the Church was so twisted with the King's, that Interest and Duty went together; tho' I will not go so far as our *Author*, who says, that the *Law of Nature* dictates to every Individual to fight in his own Defence: This is too bold a thing to be delivered so crudely at this time. The *Laws of Nature* are perpetual, and can never be cancelled by any special Law: So if these *Gentlemen* own so freely, that this is a *Law of Nature*, they had best take care not to provoke *Nature* too much, lest She fly to the Relief that this *Law* may give her, unless she is restrained by the *Loyalty* of our Church. Our *Author* values his *Party* much upon their *Loyalty* to *King Charles the First*: But I must take the liberty to ask him, of what *Religion* were the *Irish Rebels*? and what sort of *Loyalty* was it, that they shewed, either in the first *Massacre*, or in the Progress of that *Rebellion*? Their *Messages* to the *Pope*, to the *Court of France*, and to the *Duke of Lorraine*, offering themselves to any of these that would have undertaken to protect them, are Acts of *Loyalty*, which the *Church of England* is no way inclined to follow, and the authentic Proofs of these things are ready to be produced. Nor need I add to this, the hard terms they offered to the *King*, and their ill usage of those whom he employed. I could likewise repress the Insolence of this *Writer*, by telling him of the slavish Submissions that their *Party* made to *Cromwel*, both *Father* and *Son*. As for their adhering to *King Charles the First*, there is a peculiar boldness in our *Author's* Assertion, who says, That they had no *Hope nor Interest* in that cause: The State of that *Court* is not so quite forgot, but that we do well remember what *Credit* the *Queen* had with the *King*, and what *Hopes* She gave the *Party*; yet they did not so entirely espouse the *King's cause*, but that they had likewise a flying Squadron in the *Parliaments Army*, how boldly soever this may be denied by our *Author*; for this I will give him a Proof that is beyond exception, in a *Declaration* of that *Kings*, sent to the *Kingdom of Scotland*, bearing date the 21 of *April* 1643. which is printed over and over again; and as an *Author* that writes the *History* of the late Wars, has assured us, the clean draught of it, corrected in some places with the *King's own Hand*, is yet extant; so that it cannot be pretended, that this was only a bold Af-

sertion of some of the *Kings Ministers* that might be ill affected to their Party. In that *Declaration* the *King* studied to possess his *Subjects* of *Scotland* with the Justice of his Cause, and among other things, to clear himself of that Imputation that he had an *Army of Papists* about him; after many things said on that head, these words are added; *Great numbers of that Religion have been with great Alacrity entertained in that Rebellicious Army against us; and others have been seduced, to whom we had formerly denied Employments, as appears by the Examination of many Prisoners, of whom we have taken twenty, and thirty at a time of one Troop or Company, of that Religion.* I hope our *Author* will not have the Impudence to dispute the Credit that is due to this Testimony; but no Discoveries, how evident so ever they may be, can affect some sort of Men that have a Secret against blushing.

V. Our *Author* exhorts us to change our Principles of Loyalty, and to take example of our *Catholick Neighbours*, how to behave our selves towards a Prince that is not of our Perswasion. But would he have us learn of our *Irish Neighbours* to cut our Fellow-subjects Throats, and rebel against our *King*, because he is of another Religion? For that is the freshest Example that any of our *Catholick Neighbours* have set us; and therefore I do not look so far back as to the *Gunpowder-Plot*, or the *League of France* in the last Age. He reproaches us for failing in our Fidelity to our *King*. But in this matter we appeal to God, Angels, and Men, and in particular to His Majesty: Let our Enemies shew any one point of our Duty, in which we have failed; for as we cannot be charged for having preach'd any seditious Doctrine, so we are not wanting in the preaching of the Duties of Loyalty, even when we see what they are like to cost us. The Point which he singles out, is, *That we have failed in that grateful Return that we owed His Majesty for his Promise of maintaining our Church as it is established by Law; since upon that we ought to have repealed the Sanguinary Laws, and the late impious Tests; the former being enacted to maintain the Usurpation of Queen Elizabeth, and the other being contrived to exclude the present King.* We have not failed to pay all the Gratitude and Duty that was possible, in return to His Majesties Promise, which we have carried so far, that we are become the Object even of our



our Enemies Scorn by it. With all Humility be it said, that if His *Majesty* had promised us a farther Degree of his Favour, than that of which the *Law* had assured us, it might have been expected, that our return should have been a degree of Obedience beyond that which was required by *Law*; so that the return of the Obedience enjoined by *Law*, answers a Promise of a *Protection* according to *Law*: Yet we carried this matter further; for, as was set forth in the beginning of this *Paper*, we went on in so high a pace of Compliance and Confidence, that we drew the Censures of the whole *Nation* on us: Nor could any Jealousies or Fears give us the least Apprehensions, till we were so hard pressed in matters of *Religion*, that we could be no longer silent. The same *Apostle* that taught us to honour the *King*, said likewise, that we must obey *God* rather than *man*. Our *Author* knows the History of our *Laws* ill; for besides what has been already said, touching the *Laws* made by *Queen Elizabeth*, the severest of all our *Penal Laws*, and that which troubles him and his Friends most, was past by *K. James* after the *Gunpowder-Plot*; a Provocation that might have well justified even greater Severities. But tho' our *Author* may hope to impose on an ignorant *Reader*, who may be apt to believe implicitly what he says concerning the *Laws* of the last Age, yet it was too bold for him to assert, that the *Tests* which are so lately made, were contrived to exclude the present *King*, when there was not a Thought of *Exclusion* many years after the first was made, and the *Duke* was excepted out of the *Second* by a special *Proviso*. But these *Gentlemen* will do well never to mention the *Exclusion*; for every time that it is named, it will make People call to mind the Service that the *Church of England* did in that matter, and that will carry with it a Reproach of *Ingratitude* that needs not be aggravated. He also confounds the *two Tests*, as if that for *Publick Employments* contained in it a Declaration of the *King's* being an *Idolater*, or as he makes it, a *Pagan*, which is not at all in it; but in the other for the *Members of Parliament*, in which there is indeed a Declaration, that the *Church of Rome* is guilty of *Idolatry*; which is done in general terms, without applying it to His *Majesty*, as our *Author* does: Upon this he would infer, That his *Majesty* is not safe till the

the *Tests* are taken away ; but we have given such Evidences of our *Loyalty*, that we have plainly shewed this to be false; since we do openly declare, that our *Duty* to the *King* is not founded on his being of this or that *Religion*; so that His *Majesty* has a full Security from our Principles, tho' the *Tests* continue, since there is no reason that we who did run the hazard of being ruined by the *Excluders*, when the Tide was so strong against us, would fail his *Majesty* now, when our Interest and Duty are joyned together : But if the *Tests* are taken away, it is certain that we can have no Security any longer ; for we shall be then laid open to the Violence of such restless and ill-natured men, as the *Author* of this Paper and his *Brethren* are.

VI. The same reason that made our *Saviour* refuse to throw himself down from the Roof of the Temple, when the Devil tempted him to it, in the vain Confidence, that *Angels* must be assistant to him to preserve him, holds good in our *Case*. Our *Saviour* said, *Thou shalt not tempt the Lord thy God*. And we dare not trust our selves to the Faith, and to the Mercies of a *Society*, that is but too well known to the World, to pretend, that we should pull down our Pales to let in such *Wolves* among us. God and the *Laws* have given us legal Security, and His *Majesty* has promised to maintain us in it; and we think it argues no Distrust either of *God*, or the Truth of our *Religion*, to say, that we cannot by any Act of our own, lay our selves open, and throw away that defence. Nor would we willingly expose His *Majesty* to the *unwearied Sollicitations* of a sort of men, who, if we may judge of that which is to come, by that which is past, would give him no rest, if once the restraints of *Law* were taken off, but would drive matters to those Extremities to which we see their Natures carry them head-long.

VII. The last *Paragraph* is a strain worthy of that School that bred our *Author*; he says, *His Majesty may withdraw his Royal Protection from the Church of England, which was promised her upon the account of her constant Fidelity*; and he brings no other Proof to confirm so bold an *Affertion*, but a false *Axiome* of that despised *Philosophy* in which he was bred; *Cessante causa tollitur effectus*. This is indeed such an Indignity to His *Majesty*, that I presume to say it with all humble

reverence, these are the last persons whom he ought to *par-  
don*, that have the boldness to touch so sacred a point as *the  
Faith of a Prince*, which is the chief Security of Government,  
and the Foundation of all the Confidence that a *Prince* can  
promise himself from his *People*; and which, once blasted, can  
never be recovered. Equivocations may be both taught and  
practised with less danger, by an *Order* that has little Credit to  
lose; but nothing can shake *Thrones* so much as such treache-  
rous *Maxims*. I must also ask our *Author*, in what point of  
*Fidelity* has our Church failed so far as to make her forfeit  
her Title to His *Majesties Promises*? For as he himself has  
stated this matter, it comes all to this: *The King promised  
that he would maintain the Church of England as established by  
Law*. Upon which in Gratitude he says, That the *Church  
of England* was bound to throw up the Chief Security that she  
had in her Establishment *by Law*; which is, that all who are  
intrusted either with the *Legislative* or the *Executive* parts of  
our *Government* must be of her *Communion*; and if the *Church  
of England* is not so tame, and so submissive, as to part with  
*this*, then the *King* is free from his *Promise*, and may withdraw  
his *Royal Protection*, tho' I must crave leave to tell him, that  
the *Laws* gave the *Church of England* a Right to that *Protection*,  
whether His *Majesty* had promised it, or not.

Of all the *Maxims* in the World, there is none more hurtful  
to the *Government*, in our present Circumstances, than the  
saying, that the *King's Promises* and the *Peoples Fidelity* ought  
to be *reciprocal*; and that a Failure in the one, cuts off the  
other; for by a very natural Consequence the *Subject* may  
likewise say, That their *Oaths of Allegiance* being founded on  
the Assurance of His *Majesties Protection*, the *One binds* no  
longer than the *Other is observed*: and the Inferences that  
may be drawn from hence, will be very terrible, if the *Loy-  
alty* of the so much decried *Church of England* does not put a  
stop to them.

THE  
 EARL of MELFORT's  
 LETTER  
 TO THE  
 PRESBYTERIAN-MINISTERS  
 IN  
 SCOTLAND,

Writ in his *Majesties* Name upon their

ADDRESS:

Together with some *Remarks* upon it.

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The Earl of *Melfort's* Letter.

Gentlemen,

**I** Am commanded by His Majesty to signifie unto you his gracious acceptance of your Address, that he is well satisfied with your Loyalty expressed therein; for the which he resolves to perpetuate the Favour, not only

only during his own Reign, but also to lay down Ways for its Continuance, and that by appointing in the next ensuing Parliament the taking off all Penal Statutes contrary to the Liberty or Toleration granted by him.

His Majesty knows, that Enemies to Him, to You, and this Toleration, will be using all Endeavours to infringe the same; but as ever the Happiness of his Subjects, standing in Liberty of Conscience, and the Security of their Properties (next the Glory of God) hath been his Majesties great end; so he intends to continue, if he have all sutable Encouragement and Concurrence from you in your Doctrine and Practice; and therefore as he hath taken away the Protestant Penal Statutes lying on you, and herein has walked contrary not only to other Catholick Kings, but also in a way different from Protestant Kings who have gone before him, whose Maxim was to undo you by Fining, Confining, and taking away your Estates, and to harass you in your Persons, Liberties and Priviledges; so he expects a thankful acknowledgment from you, by making your Doctrine tend to cause all his Subjects to walk obediently, and by your Practice walking so as shall be most pleasing to His Majesty, and the concurring with him for the removing these Penal Statutes. And he further expects that you continue your Prayers to God for his long and happy Reign, and for all Blessings on his Person and Government; and likewise that you look well to your Doctrine, and that your Example be influential: All these are His Majesties Commands.

Sic subf.

MELFORT.

## REMARKS.

THE *Secretary Hand* is known to all the *Writing-Masters* of the Town; but here is an *Essay*, of the *Secretary's Stile* for the *Masters* of our Language: This is an Age of Improvements, and Men that come very young into Employments, make commonly a great Progress; therefore common things are not to be expected here: it is true, some Roughnesses in the *Stile* seem to intimate, that the Writer could turn his *Conscience* more easily than he can do his Pen, and that the one is a little stiffer and less compliant than the other. He tells the *Addressers*, That *His Majesty is well satisfied with their Loyalty contained in their Address, for the which he resolves to perpetuate the Favour*. It appears that the *Secretary-Stile* and the *Notary-Stile* come nearer one another than was generally believed: For the *which* here, and *infringe* the same afterwards, are Beauties borrowed from the *Notary-Stile*: The *foresaid* is not much courser. The King's *perpetuating the Favour*, is no easier thing, unless he could first *perpetuate himself*. Now tho' His Majesties Fame will be certainly *immortal*, yet to our great Regret, his *Peron is mortal*; so it is hard to conceive how this *Perpetuity* should be settled.

The Method here proposed is a new Figure of the *Secretary-Stile*; which is the *appointing in the next ensuing Parliament the taking off all Penal Laws*. All former Secretaries used the modest Words of *proposing* or *recommending*; but he who in a former *Essay* of this *Stile* told us of *His Majesties Absolute Power, to which all the Subjects are to obey without reserve*, furnishes us now with this new term of the *King's appointing* what shall be done in *Parliament*. But what if after all, the *Parliament* proves so stubborn, as not to comply with this *Appointment*, I am afraid then the *Perpetuity* will be of a short continuance: He in the next place mentions the *Liberty or Toleration granted by the King*. *Liberty* is not so hard a Word, but that it might be understood without this *Explanation* or *Toleration*, unless the *Secretary-Stile*

*Stile* either approaches to the *Notary-Stile* in some nauseous Repetitions, or that he would intimate by this, That all the *Liberty* that is left the Subjects, is comprehended in this *Toleration*. And indeed, after *Absolute Power* was once asserted, it was never fit to name *Liberty* without some Restriction. After this comes a stately Period, *The Enemies to Him, to You, and to this Toleration*. Yet I should be sorry if it were true; for I hope there are many *Enemies to this Toleration*, who are neither *Enemies to the King*, nor to these *Addressers*; and that on the contrary they are *Enemies to it*, because they are the *best Friends* that both the *King*, and the *People* have. It is now no secret, that tho' both the *Prince* and *Princess of Orange* are great *Enemies to Persecution*, and in particular to all Rigour against the *Presbyterians*, yet they are not satisfied with the way in which this *Toleration* is granted. But the reckoning of them as *Enemies* either to the *King*, or the *People*, is one of the Figures of this *Stile*, that will hardly pass; and some will not stick to say, that the *Writer of this Letter* has with this dash of his Pen, declared more *Men Enemies to the King*, than ever he will be able to make *Friends to him*. He tells them next, that these *Enemies will be using all endeavours to infringe the same*. This is also a strong Expression. We know the use of the *Noun Infractions*, but *Infringe* is borrowed from the *Notaries*; yet the plain sense of this seems to be, that those *Enemies* will disturb the *Meetings*, of which I do not hear any of them have the least thought; yet by a secret Figure of the *Secretary Stile*, perhaps this belongs to all those who either think that the *King* cannot do it by *Law*, or that will not give their *Vote to confirm it in Parliament*: but I am not so well acquainted with all the *Mysteries* of this *Stile*, as to know its full depth.

There comes next a long Period of fifty words, for I was at the pains to count them all, which seemed a little too prolix for so short a *Letter*, especially in one that writes after the *French Pattern*. *But as ever the Happiness of his Subjects, Standing in Liberty of Conscience, and the Security of their Properties, next the Glory of God, hath been His Majesties great End; so he intends to continue, if he have all suitable Encourage-*

ment and Concurrence from you in your *Doctrin* and *Practice*. The putting ever at the beginning of the Period, and at so great a distance from that to which it belongs, is a new Beauty of *Stile*. And the *Standing* of this *Happiness*, makes me reflect on that which I hear a *Scotch Preacher* delivered in a *Sermon*, that he doubted this *Liberty* would prove but like a *standing Drink*. The *Kings* receiving *sutable Encouragement* from his *Subjects*, agrees ill with the height of *Stile* that went before, of appointing what the *Parliament* must do. *Kings* receive returns of *Duty* and *Obedience* from their *Subjects*; but hitherto *Encouragement* was a word used among *Equals*; the applying it to the *King*, is a new *Figure*. A man not versed in the *Secretary-Stile*, would have expressed this matter thus: *His Majesty* has ever made the *Happiness* of *His Subjects*, which consists in *Liberty* of *Conscience*, and the *Security* of *Property*, his great end, next to the *Glory* of *God*; and he intends to do so still, if he receives all *sutable* returns from you in your *Doctrin* and *Practice*. I have marked this the more particularly, to make the difference between the *Common* and the *Secretary-Stile* the more sensible. But what need is there of the *Concurrence* of the *Addressers* with the *King*, if he appoints the next *Parliament* to take off all the *Penal Laws*? Must we likewise believe that *His Majesties Zeal* for the *Happiness* of *His Subjects* depends on the *Behaviour* of these *Addressers*, and on the *Encouragement* that he receives from them, so that he will not continue it, unless they encourage him in it? This is but an uncertain *Tenure*, and not like to be *perpetual*. But after all, the *Secretary-Stile* is not the *Royal Stile*; so notwithstanding this beautiful Period, we hope our *Happiness* is more steady than to turn upon the *Encouragements* of a few Men; otherwise if it is a *standing Happiness*, yet it is a very tottering one. The *Protestant Penal Statutes* is another of his *Elegancies*: For since all the *Penal Laws*, as well those against *Papists*, as those against *Dissenters*, were made by *Protestant Parliaments*, one does not see how fitly this *Epithete* comes in here; another would have worded this, thus; *the Penal Statutes made against Protestants*. But the *new Stile* has *Figures* peculiar to it self, that pass in the *Common Stile* for *Inproprieties*.

This



This Noble Lord is not contented to raise His Majesties Glory above all other *Catholick Kings*, in this Grant of *Liberty or Toleration*, in which there is no Competition to be made; for tho' the Most *Christian King*, who is the *Eldest Son of that Church*, has indeed executed her *Orders* in their full extent of Severity, yet His Majesty, who is but the *Cadet* in that *Church's* Catalogue of Honour, it seems does not think that he is yet so much beholden to his *Mother*, as to gratifie her by the Destruction of his People: yet I say, as if this were too little, the *King's* Glory is here carried farther, even above the *Protestant Kings* who have gone before him, whose *Maxim* was to undo you by *Fining, Confining, and taking away your Estates, and to harrass you in your Persons, Liberties, and Priviledges*. Here is an Honour that is done the *King's* Ancestors by one of his *Secretaries*, which is indeed new, and of his own Invention: The *Protestant Kings* can be no other than the *King's* Brother, his *Father, and his Grandfather*. *Kings* shut out *Queen Elizabeth*, who might have been brought in, if the more general term of *Crowned Heads* had been made use of; but as the *Writer* has ordered it, the *Satyr* falls singly on the *King's* Progenitors; for the *Papers* that were found in the *Strong Box* will go near to put the late *King* out of the List of *Protestant Kings*; so that this *Reprooch* lies wholly on the *King's* *Father* and his *Grandfather*. It is a little surprizing, after all the *Eloquence* that has been employed to raise the *Character* of the late *Martyr* to so high a pitch, that one of his *Son's* *Secretaries* should set it under his *Hand* in a *Letter* that he pretends is written by the *King's* *Comands*, That he made it a *Maxim* to undo his *People*. The *Writer* of this *Letter* should have avoided the mentioning of *Fines*, since it is not so long since both *He* and his *Brother* valued themselves on a point that they carried in the *Council of Scotland*, that *Husbands* should be fined for their *Wives* not going to *Church*, tho' it was not founded on any *Law*. And of all *Men* living he ought to be the last that should speak of the taking away of *Estates*, who got a very fair one during the present *Reign*, by an *Act of Parliament*, that attained a *Gentleman* in a *Method* as new as his *Stile* is; upon this ground, that two *Privy Counsellors* declared,

red, they belived him *guilty*. He will hardly find among all the *Maxims* of those *Protestant persecuting Kings*, any one that will justify this.

It seems the *New Stile* is not very copious in Words, since *Doctrine* is three times repeated in so short a *Letter*. He tells them, that their *Doctrine* must tend to cause all the *Subjects* to walk obediently; now by obediently in this *Stile*, is to obey the *Absolute Power* without reserve; for to obey according to *Law*, would pass now for a *Crime*: This being then his meaning, it is probable that the *Encouragements* which are necessary to make His Majesty continue the happiness of his *Subjects*, will not be so very great, as to merit the *perpetuating this Favour*. There is with this a heavy charge laid upon them as to their *Practice*, that it must be such as shall be most pleasing to his Majesty; for certainly that can only be by their turning *Pastpis*; since a *Prince* that is so zealous for his *Religion*, as His Majesty is, cannot be so well pleased with any other thing as with this; *Their concurring with the King to remove the Penal Laws*, comes over again; for tho' *Repetitions* are *Impertinencies* in the *Common Stile*, they are *Flowers* in the *new one*.

In *Conclusion*, he tells them, That the *King expects* that they will continue their *Prayers* for him; yet this does not agree too well with a *Catholick Zeal*; for the *Prayers* of *damned Hereticks* cannot be worth the asking; for the third time he tells them to *look well to their Doctrine*; now this is a little ambiguous, for it may either signify, that they should study the *Controversies* well, so as to be able to defend their *Doctrine* solidly, or that they should so mince it, that nothing may fall from them in their *Sermons* against *Popery*; this will be indeed a *looking to their Doctrine*, but I do not know whether it will be thought a *looking well to it*, or not. He adds, *That their Example be influential*: I confess this hard new word frightened me; I suppose the meaning of it is, That *their Practice* may be such as that it may have an *Influence* on others; yet there are both good and bad *Influences*, a good *Influence* will be the animating the *People* to a *Zeal* for their *Religion*, and a *bad one* will be the slackning and softning of that *Zeal*. A little more clearness here had not been amiss.

As for the last Words of this Letter; *That all these are his Majesty's Commands*; it is very hard for me to bring my self to believe them: For certainly he has more Piety for the Memory of the *late Martyr*, and more regard both to *himself*, to his *Children*, and to his *People*, than to have ever given any such Commands.

In order to the communicating this Piece of Elegance to the World, I wish the translating it into *French*, were recommended to Mr. *d'Albeville*, that it may appear whether the *Secretary-Style* will look better in his *Irish-French*, than it does now in the *Scotch-English* of him who penned it.

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RELECTIONS

REVISIONS

## REFLECTIONS

ON A

## PAMPHLET

Entitled,

PARLIAMENTUM PACIFICUM,

Licenſed by the

EARL of SUNDERLAND,

AND

Printed at London, in March, 1688.

I. **P***Peace* is a very desirable thing, yet every State that is *peaceable* is not blindly to be courted. An Apoplexy is the most *peaceable* State in which a Man's Body can be laid: yet few would desire to pacifie the Humours of their Body at that rate. An *Implicite Faith* and *Absolute Slavery* are the two *peaceablest* things that can be; yet we confess, we have no mind to try so dangerous an Experiment: and while the Remedies are too strong, we will chuse rather to

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bear

bear our Disease, than to venture on them. The Instance that is proposed to the Imitation of the Nation, is, that *Parliament* which called in the late *King*; and yet that cannot so much as be called a *Parliament*, unless it be upon a Commonwealth Principle, That *the Sovereign Power is radically in the People*: For its being chosen without the *King's Writ*, was such an *Essential Nullity*, that no subsequent Rati- fication could take it away: For all People saw, that they could not depend upon any *Acts* past by it; and therefore it was quickly dissolved: and ever since it has been called by all the Monarchical Party, a *Convention*, and not a *Parliament*. But now, in order to the courting the Common- wealth Party, this is not only called a *Parliament*, but is pro- posed as a Pattern to all others, from the beginning to Page 19.

II. But since this Author will send us back to that Time, and since he takes it so ill that *the Memory of the late King should be forgotten*; let us examine that Transaction a little, and then we shall see whether it had not been more for His Honour to let it be forgotten. The *King* did indeed in his Declaration from *Breda* promise *Liberty of Conscience*, on which he insisted in a large and wise Declaration, set out after he was settled on the Throne: but after that he had got a *Parliament*, chosen all of Creatures depending on himself, who for many years granted him every thing that he desired, a severe *Act of Uniformity* was passed; and the *King's* Promise was carried off by this, That *the King could not refuse to comply with so Loyal a Parliament*. It is well enough known, that those who were then secretly *Papists*, and who disgui- sed their Religion for many Years after this, as the *King* himself did to the last, animated the *Chief Men* of our Church to carry the Points of *Uniformity* as high as was possible; and that both then, and ever since, all that proposed any Expedients for uniting us (or, as it was afterwards termed, for *Comprehending the Dissenters*) were represented as *the Be- trayers of the Church*. The Design was then clear to some; that so by carrying the Terms of *Conformity* to a great rigi- dity, there might be many *Nonconformists*, and great occa- sion

sion given for a *Toleration*, under which *Papery* might insensibly creep in: For if the Expedients that the *King* himself proposed in his *Declaration*, had been stood to, it is well known, that of the Two thousand *Consciencious Ministers*, as he calls them, pag. 14. by an Affectation too gross to pass on them that were turned out, above Seventeen hundred had staid in. Their Practices had but too good Success on those who were then at the Head of our *Church*; whose Spirits were too much soured by their ill usage during the War, and whose Principles led them to so good an Opinion of all that the Court did, that for a great while they would suspect nothing. But at the same time that the *Church-Party*, that carried all before them in that *Parliament*, were animated to press things so hard, the *Dissenters* were secretly encouraged to stand out, and were told, that the *King's* Temper and Principle, and the Consideration of *Trade*, would certainly procure them a *Toleration*; and ever since, that Party that thus had set us together by the ears, has shifted Sides dexterously enough; but still they have carried on the main Design, which was to keep up the Quarrel in the Intervals of Parliament. *Liberty of Conscience* was in vogue; but when a *Session of Parliament* came, and the *King* wanted Money, then a new severe Law against the *Dissenters* was offered to the angry Men of the *Church-Party*, as the Price of it; and this seldom failed to have its effect: so that they were like the *Jewels of the Crown*, pawned when the *King* needed Money, but redeemed at the next Prorogation. A Reflection then that arises naturally out of the Proceedings in the Year 1660. is, That if a *Parliament* should come, that would copy after that Pattern, and repeal *Laws* and *Tests*, the *King's* Offers of *Liberty of Conscience*, as may indeed be supposed, will bind him, till after a short Session or two such a meritorious *Parliament* should be dissolved, according to the Precedent in the Year 1660. and that a new one were brought together by the same Methods of changing Charters, and making Returns; and then the old *Laws de Heretico comburendo* might be again revived, and it would be said, that the *King's* Inclinations are for keeping his Promise, and granting still a *Liberty of Conscience*; yet he can deny nothing to a Loyal and Catholick *Parliament*.

III. We pay all possible respect to the *King*, and have witnessed how much we depended on his Promises, in so signal a manner, that after such real Evidence, all Words are superfluous. But since the *King* has shewed so much Zeal, not only for his *Religion* in general, but in particular for that *Society*, which of all the other Bodies in it, we know is animated the most against us, we must crave leave to speak a little freely, and not suffer our selves to be destroyed by a Complement. The *Extirpation of Hereticks*, and the *Breach of Faith to them*, have been decreed by two of their General Councils. and by a Tradition of several Ages; the *Pope* is possessed of a *Power of dissolving all Promises, Contracts, and Oaths*; not to mention the private Doctrines of that *Society*, that is so much in favour, of *doing Ill that Good may come of it, of using Equivocations and Reservations, and of ordering the Intention*. Now these Opinions, as they have never been renounced by the Body of that *Church*, so indeed they cannot be, unless they renounce their Infallibility, which is their *Basis*, at the same time. Therefore tho a Prince of that Communion may very sincerely resolve to maintain *Liberty of Conscience*, and to *keep his Word*, yet the blind Subjection into which he is brought by his Religion, to his Church, must force him to break thro' all that, as soon as the Doctrine of his Church is opened to him, and that Absolution is denied him, or higher Threatnings are made him, if he continues firm to his merciful Inclinations. So that supposing His Majesty's Piety to be as great as the *Jesuit's Sermon* on the Thirtieth of *January*, lately printed, carries it, to the uttermost possibility of *Flesh and Blood*, then our Fears must still grow upon us, who know what are the Decrees of that *Church*; and by consequence we may infer, to what his Piety must needs carry him, as soon as those things are fully opened to him, which in respect to him, we are bound to believe are now hid from him.

IV. It will further appear, that these are not unjust Inferences, if we consider a little what has been the Observation of all the Promises made for *Liberty of Conscience* to Hereticks



Hereticks by *Roman Catholick Princes*, ever since the *Reformation*. The first was, the *Edict of Passaw* in *Germany*, procured chiefly by *Ferdinand's* means, and maintained indeed religiously by his Son *Maximilian* the Second, whose Inclinations to the Protestant Religion made him be suspected for one himself: But the *Jesuits* insinuated themselves so far into his younger *Brother's* Court, that was Archduke of *Grats*, that this was not only broken by that Family, in their Share, but tho' *Rodolph* and *Matbias* were Princes of great Gentleness, and the latter of these was the Protector of the *States* in the beginning of their War with King *Philip* the Second, yet the Violence with which the House of *Grats* was possessed, overturned all that: so that the breaking of the *Pacificatory Edicts* was begun in *Rodolph's* time, and was so far carried on in *Matbias's* time, that they set both *Bohemia* and *Hungary* in a Flame, and so began that long War of *Germany*. 2. The next Promise for *Liberty of Conscience* was made by *Queen Mary* of *England*; but we know well enough how it was observed: the Promises made by the *Queen Regent* of *Scotland*, were observed with the same Fidelity. After these came the *Pacificatory Edicts* in *France*, which were scarce made when the *Triumvirate* was formed to break them. The famous *Massacre of Paris* was an Instance never to be forgot, of the Religious Observance of a Treaty, made on purpose to lay the Party asleep, and to bring the whole Heads of it into the Net; this was a much more dreadful *St. Bartholomew*, than that on which our Author bestows that Epithete, pag. 15. and when all seemed settled by the famous *Edict* of *Nantes*, we have seen how restless that Party, and in particular the *Society*, were, till it was broken by a Prince, that for thirty years together had shewed as great an aversion to the *Shedding of Blood* in his Government at home, as any of his Neighbours can pretend to; and who has done nothing in the whole Tragedy that he has acted, but what is exactly conform to the Doctrine and Decrees of his Church: so that is not *himself*, but *his Religion*; that we must blame for all that has fallen out in that Kingdom. I cannot leave this, without taking notice  
of

of our Author's Sincerity, who pag. 18. tells us of the *Protestants entering into their League in France*, when it is well known that it was a *League of Papists against a Protestant Successor*, which was afterwards applied to a *Papish King*, only because he was not zealous enough against *Hereticks*. But to end this List of Instances at a Country to which our Author bears so particular a kindness; when the Dutchess of *Parma* granted the *Edict* of Pacification, by which all that was past was buried, and the Exercise of the Protestant Religion was to be connived at for the future; King *Philip* the Second did not only ratify this, but expressed himself so fully upon it to the Count of *Egmont*, who had been sent over to him, that the case Count returned to *Flanders* so assured of the King's Sincerity, that he endeavoured to persuade all others to rely as much on his Word, as he himself did. It is well known how fatal this Confidence was to him, and (see *Meteren*. lib. 3.) that two years after this that King sent over the Duke of *Alva*, with that severe Commission which has been often printed, in which, without any regard had to the former Pacification or Promises, the King declared, that the *Provinces had forfeited all their Liberties, and that every man in it had forfeited his life*; and therefore he authorized that *unmerciful Man* to proceed with all possible Rigour against them. It is also remarkable, that that bloody Commission is founded on the King's *Absolute Power*, and his Zeal for Religion. This is the only *Edict* that I know, in which a King has pretended to *Absolute Power*, before the *two Declarations for Scotland* in the year 1687. so whether they who penned them took their Pattern from this, I cannot determine it. I could carry this view of History much further, to shew in many more Instances, how little *Protestants* can depend on the Faith of *Roman Catholics*, and that their Condition is so much the worse, the more pious that their Princes are. As for what may be objected to all this, from the present State of some Principalities or Towns in *Germany*, or of the *Switzers* and *Grisons*; it is to be considered, that in some of these, want of Power in the

*Roman Catholicks* to do mischief, and the other Circumstances of their Affairs, are visibly the only Securities of the *Protestants*; and whensoever this Nation departs from that, and gives up the *Laws*, it is no hard thing to guess how short-lived the *Liberty of Conscience*, even tho' settled into a *Magna Charta*, would be.

V. All that our Author says upon the General Subject of *Liberty of Conscience*, is only a severe Libel upon that *Church*, whose Principles and Practices are so contrary to it. But the Proposition lately made, has put an end to all this Dispute; since by an Offer of Repealing the *Penal Laws*, reserving only those of the *Test*, and such others as secure the *Protestant Religion*, the question is now no more, which Religion must be *tolerated*, but which Religion must *reign* and prevail. All that is here offered in Opposition to that, is, that by this means *such a number of Persons must be ruined*, Pag. 64. *which is as severe a way of forcing People to change their Religion, as the way of Dragoons*. I will not examine the particulars of this matter, but must express my joy to find, that all the Difficulty which is in our way to a happy quiet, is the supplying such a number of men with the means of their subsistence, which by the Execution of the *Law* for the *Test*, must be taken from them. This by all that I can learn, will not come to near an Hundred Thousand Pound a year; and indeed the supplying of those of the *King's* Religion, that want it, is a piece of Charity and Bounty so worthy of him, that I do not know a man that would envy them the double of this in Pensions: and if such a Sum would a little charge the *King's* Revenue, I dare say, when the Settlement of the Nation is brought to that single point, there would not be one Negative found in either *House of Parliament*, for the reimbursing the *King*: So far are we from desiring either the Destruction, or even the Poverty of those that perhaps wait only for an occasion to burn us. I will add one bold thing further, that tho' I will be no undertaker for what a *Parliament* may do, yet I am confident that all men are so far from any desire of Revenge, but most  
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of all, that the *Heroical Minds* of the next *Successors* are above it; that if an *Indemnity* for that bold violation of the *Law* that has been of late both practised and authorised among us, would procure a full Settlement, even this could be obtained, tho' an Impunity after such Transgressions, is perhaps too great an Encouragement to offend for the future. But since it is the Preservation of the Nation, and not the ruine of any party in it, that is aimed at, the Hardiness of this Proposition will, I hope, be forgiven me. It is urged, pag. 63. that according to the *Dutch* Pattern at least the *Roman Catholicks* may have a share in Military Employments; but the difference between our Case and theirs, is clear; since some *Roman Catholick Officers*, where the Government is wholly in the Hands of of *Protestants*, cannot be of such dangerous Consequence as it must needs be under a *King* that is not only of that Perswasion, but is become nearly allied to the *Society*, as the *Liege Letter* tells us.

VI. It is true, our Author would persuade us, that the *King's* dispensing Power has already put an end to the Dispute, and that therefore it is a *seeming sort of Perjury*, see pag. 48. *to keep the Justices of Peace still under an Oath of executing those Laws*, which they must consider no more. Some Presidents are brought from former times, pag. 22, 23, 24. of our *Kings* using the dispensing Power in *Edward the Third*, *Richard the Second*, *Henry the Seventh*, *Henry the Eighth*, *Edward the Sixth*, and *Queen Elizabeth's* time. It is very true, that the *Laws* have been of late broke through among us with a very high hand, but it is a little too dangerous to upbraid the *Justices of Peace* with their *Oaths*, lest this oblige them to reflect on so sacred an Engagement; for the worthy Members of *Magdalen Colledge* are not the only Persons in *England*, who will make Conscience of observing their *Oaths*; so that if others are brought to reflect too much on what they do, our Author's Officiousness in suggesting this to them, may prove to be no acceptable piece of service. I will not examine all his Presidents;

sidents; we are to be governed by *Law*, and not by some of the *excesses of Government*; nor is the latter end of *Edward* the Third a time to be much imitated: and of all the parts of the *English History*, *Richard* the Second's Reign should be the least mentioned, since those *excesses* of his produced so Tragical a Conclusion as the loss of *his Crown and Life*. *Henry* the Sixth's feeble and imbroiled Reign will scarce support an Argument; and if there were some *excesses* in *Henry* the Eighth's time, which is ordinary in all great Revolutions, he got all these to be either warranted, or afterwards confirmed in *Parliament*. And *Q. Elizabeth's* Power in Ecclesiastical matters was founded on a special *Act of Parliament*, which was in a great measure repealed in the year 1641. and that Repeal was again ratified by another *Act* in the late *King's* time. We are often told of the late *King's* repealing the *Act* concerning the Sife of *Carts and Waggon's*; but all Lawyers know that some *Laws* are understood to be *abrogated* without a special *Repeal*, when some visible Inconvenience enforces it; such as appeared in that mistaken *Act* concerning *Waggon's*; so the *King* in that case only declared the Inconvenience which made that *Law* to be of it self null because it was impracticable. It is true, the *Parliament* never questioned this; a man would not be offended if another pulled a Flower in his Garden, that yet would take it ill if he broke his Hedge: and in *Holland*, to which our Author's Pen leads him often, when a River changes its course, any man may break the *Dike* that was made to resist it, yet that will be no warrant to go and break the *Dike* that resists the Current of the same River: So if a dispensing Power, when applied to smaller Offences, has been passed over, as an *excess of Government*, that might be excusable, tho' not justifiable, this will by no means prove, that *Laws* made to secure us against that which we esteem the *greatest of Evils* may be superseded, because *twelve Men in Scarlet* have been hired or practised on to say so; the Power of *pardoning* is also unreasonably urged for justifying the *Dispensing Power*; the one is a Grace to a particular Person for a Crime committed, whereas the other is a warrant to commit Crimes. In

short, the one is a Power to *save Men*, and the other is a Power to *destroy the Government*. But tho' they swagger it out now with the *Dispensing Power*, yet *rode caper vitem* may come to be again in season; and a time may come, in which the whole Party will have reason to wish that some hair-brained *Jesuits* had never been born, who will rather expose them not only to the Resentments, but even to the Justice of another season, in which as little regard will be had to the *Dispensing Power*, as they have to the *Laws* at present, then accept of reasonable Propositions.

VII. Our Author's Kindness to the *States of Holland*, is very particular, and returns often upon him; and it is no wonder that a *State* settled upon two such Hinges, as the *Protestant Religion*, and *publick Liberty*, should be no small Eye fore to those who intend to destroy both. So that the slackning the *Laws* concerning *Religion*, and the invading that *State*, seem to be Terms that must always go together. In the first War began the first slackning of them; and after the *Triple Alliance* had laid the *Dutch* asleep, when the second War was resolved on, which began with that Heroical Attempt on the *Smyrna Fleet*, (for our Author will not have the late *King's* Actions to be *forgotten*), at the same time the famous *Declaration* suspending the *Laws* in 1672. came out; and now again, with another *Declaration* to the same purpose, we see a return of the same good Inclinations for the *Dutch*, tho' none before our Author has ever ventured in a Book licensed by my Lord *President* of the *Council*, to call their Constitution, pag. 68. *A Revolt that they made from their lawfull Prince*; and to raise his stile to a more sublime Strain, he says, pag. 66. *That their Commonwealth is only the Result of an absolute Rebellion, Revolt, and Defection from their Prince; and that the Laws that they have made, were to prevent any casual return to their natural Allegiance*. And speaking of their Obligation to protect a *Naturalized Subject*, he bestows this Honour on them, as to say, pag. 57, 58. *Those that never yet dealt so fairly with Princes*

Princes, may be suspected for such a superfluous Faith to one that puts himself upon them for a Vassal. Time will shew how far the States will resent these Injuries; only it seems our Author thinks, that a Sovereign's Faith to protect the Subject, is a superfluous thing; a Faith to Hereticks is another superfluous thing; so that two Superfluities, one upon another, must be all that we are to trust to. But I must take notice of the variety of Methods that these Gentlemen use in their Writings. Here in *England* we are always upbraided with the *Revolt of the Dutch*, as a scandalous Imputation on the *Protestant Religion*; and yet in a late Paper, entitled, *An Answer to Pensioner Fagel's Letter*, the Services that the *Roman Catholicks* did in the beginning of that Commonwealth, are highly extolled as signal and meritorious; upon which the Writer makes great Complaints, That the *Pacification of Gaunt*, and the *Union at Utrecht*, by which the free Exercise of their Religion was to be continued to them, was not observed in most of the *Provinces*: But if he had taken pains to examine the History of the *States*, he would have found, that soon after the *Union made at Utrecht*, the Treaty at *Colen* was set on foot, between the King of *Spain* and the *States*, by the *Emperor's* Mediation, in which the *Spaniards* studied to divide the *Roman Catholicks* of these *Provinces* from the *Protestants*, by offering a Confirmation of all the other *Priviledges* of these *Provinces*, excepting only the Point of *Religion*, which had so great an Effect, that the Party of the *Malcontents* was formed upon it; and these did quickly capitulate in the *Walloon Provinces*; and after that not only *Barbant* and *Flanders* capitulated, but *Reenenburgh* that was Governour of *Groening*, declared for the King of *Spain*, and by some Places that he took both in *Friseland* and *Over-Iffel*, he put these *Provinces* under Contribution. Not long after that, both *Darventer* and *Zutphen* were betrayed by *Popish* Governours; and the War was thus brought within the *Seven Provinces*, that had been be-

fore kept at a greater distance from them. Thus it did appear almost every where, that the hatred with which the *Priests* were inspiring the *Roman Catholics* against the *Protestants*, disposed them to betray all again to the *Spanish Tyranny*. The new War that *Reenenburg's* Treachery had brought into these *Provinces*, changed so the State of Affairs, that no wonder if this produced a change likewise with relation to that Religion, since it appeared that these Revolts were carried on, and justified upon the Principles of that *Church*; and the general Hatred under which these Revolts brought the *Roman Catholics* in those *Out Provinces*, made the greater part of them to withdraw; so that there were not left such numbers of them as to pretend to the free Exercise of their Religion. But the War not having got into *Holland* and *Utrecht*, and none of that Religion having revolted in those Provinces, the *Roman Catholics* continued still in the Country; and tho' the ill Inclinations that they shewed, made it necessary for the publick Safety, to put them out of the Government, yet they have still enjoyed the common Rights of the Country, with the free Exercise of their Religion. But it is plain, that some men are only waiting an opportunity to renew the old *Delenda est Carthago*, and that they think it is no small step to it, to possess all the World with odious Impressions of the *Dutch*, as a *rebellious and perfidious State*; and if it were possible, they would even make their own *Roman Catholick* Subjects fancy that they are persecuted by them: But tho' men may be brought to believe *Transubstantiation*, in spite of the Evidence of Sense to the contrary, yet those that feel themselves at ease, will hardly be brought to think that they are persecuted, because they are told so in an ill-writ Pamphlet. And for their Rebellion, the *Prince* that is only concerned in that, finds them now to be his *best Allies*, and *chief Supports*, as his Predecessors acknowledged them a *Free State*, almost an Age ago. And it being confessed by the *Historians* of all sides, That there was an express Pro-  
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viso in the Constitution of their Government, *That if their Prince broke such and such Limits, they were no more bound to obey him, but might resist him*; and it being no less certain, that King *Philip* the Second authorised the Duke of *Alva* to seize upon all their Priviledges, their resisting him, and maintaining their Priviledges, was without all Dispute, a justifiable Action, and was so esteemed by all the *States* of *Europe*, and in particular here in *England*, as appears by the *Preambles* of several *Acts of Subsidy* that were given the *Queen* in order to the assisting the *States*; and as for their *not dealing fairly with Princes*, when our Author can find such an Instance in their History, as our Attempt upon their *Smyrna Fleet* was, he may employ his Eloquence in setting it out; and if notwithstanding all the Failures that they have felt from others, they have still maintained the Publick Faith, our Author's Rhetorick will hardly blemish them. The Peace of *Nimmegen*, and the abandoning of *Luxemburgh*, are perhaps the single Instances in their History that need to be a little excused. But as the vast Expence of the late War brought them into a Necessity that either knows no Law, or at least will hearken to none; so we, who forced them to both, and first sold the *Triple Alliance*, and then let go *Luxemburgh*, do with a very ill grace reproach the *Dutch* for these unhappy steps to which our Conduct drove them.

VIII. If a strain of pert boldness runs thro this whole Pamphlet, it appears no where more eminently, than in the *Reflections* the Author makes on Mr. *Fagel's Letter*: He calls it, pag. 62. a *pretended Piece*, and a *Presumption not to be soon pardoned*, in prefixing to a *surreptitious and unauthorised Pamphlet* the Reverend Name of the *Princess of Orange*; which in another place (Page 72.) he had reason to imagine, was but a *Counterfeit Coin*, and that those *Venerable Characters* were but *politically feigned*, and a *Sacred Title* given to it without their Authority.

*thority*. All this coming out with so solemn a License, has made me take some pains to be rightly informed in this matter; those whom I consulted, tell me, they have discoursed the *Pensioner* himself on this Subject, who will very shortly take a sure Method to clear himself of those Imputations; and to do that right to the *Prince* and *Princess*, as to shew the World, that in this matter he acted only by their Order. For as Mr. *Stewart's* Letter drew the *Pensioner's* Answer from him, so this Paper, *licensed as it is*, will now draw from him a particular Recital of the whole Progress of this Matter. Mr. *Albeville* knows, that the *Princess* explained her self so fully to him in the Month of *May* and *June*, 1687. upon the Repeal of the *Test*, that he himself has acknowledged to several Persons, that though both the *Prince* and *Princess* were very stiff in that matter, yet of the two, he found the *Princess* more inflexible. Afterwards when Mr. *Stewart*, by many repeated Letters, pressed his Friend to renew his Importunities to the *Pensioner* for an Answer; he having also said in his *Letters*, That he writ by the *King's* Order and Direction: Upon this, the *Pensioner* having consulted the *Prince* and *Princess*, drew his Letter first in *Dutch*, and communicated it to them; and it being approved by them, he turned it into *Latine*: but because it was to be shewed to the *King*, he thought it was fit to get it to be put in *English*, that so their *Hignesses* might see that Translation of his Letter, which was to be offered to His Majesty;

and

and they having approved of it, he sent it with his own in *Latine*, and it was delivered to the *King*. This Account was given me by my Friend, who added, that it would appear ere long in a more Authentical manner. And by this I suppose the Impudence of those men does sufficiently appear, who have the Brow to publish such Stuff, of the Falshood of which they themselves are well assured: And therefore I may well conclude, that my Lord President's *License* was granted by him, with that Carelessness with which most Books are read and licensed. Our Author pretends, that he cannot believe that this *Letter* could flow from a *Princess* of so sweet a Temper, pag. 62. and yet others find so much of the *Sweetness* of her Temper in it, that for that very reason they believe it the more easily to have come from her. No Passion or indiscreet Zeal appears in it; and it expresses such an extended Charity and Nobleness of Temper, that these Characters shew it comes from one that has neither a narrowness of Soul, nor a sourness of Spirit. In short, She proposes nothing in it, but to preserve that *Religion* which she believes the true one; and that being secured, she is willing that all others enjoy all the *Liberties of Subjects*, and the *Freedoms of Christians*. Here is *Sweetness of Temper* and *Christian Charity* in their fullest extent. The other Reason is so mysteriously expressed, that I will not wrong our Author by putting it in any other words than his own,

pag.

pag. 62. *She is certainly as little pleased to promote any thing to the Disturbance of a State, to which she still seems so nearly related.* *She seems still*, are two significant Words, and not set here for nothing. *She seems* (in his Opinion) only related to the *Crown*; that is, She is not really so: but there is something that these Gentlemen have in reserve to blow up this seeming Relation. And *She seems still*, imports, that though this apparent Relation is suffered to pass at present, yet it must have its Period; for this *seems still*, can have no other meaning. But in what does She promote the *Disturbance of the State*, or *Patronise the Opposers of her Parents*? as he says afterwards (ibid.) Did She officiously interpose in this matter, or was not her Sense asked? And when it was asked, must She not give it according to her Conscience? She is too perfect a Pattern in all other things, not to know well how great a *Respect* and *Submission* She owes her *Father*: but She is too good a Christian, not to know that her Duty to God must go first: And therefore in matters of *Religion*, when Her Mind was asked, She could not avoid the giving it according to her Conscience; and all the invidious Expressions which he fastens on this *Letter*, and which he makes so many Arguments to shew that it could not flow from Her, are all the malicious and soon-discovered Artifices of one that knew that She had ordered the *Letter*, and that thought himself safe in this Disguise, in the discharging of his

his Malice against her. So ingrately is she required by a Party for whom she had expressed so much Compassion and Charity. This Author, *Pag. 53.* thinks it is an *indecent forecast to be always erecting such Schemes for the next Heir, both in Discourse and Writing, as seem almost to calculate the Nativity of the present: and he would almost make this High-Treason.* But if it is so, there were many *Traitors in England a few Years ago; in which the next Heir, though but a Brother, was so much considered, that the King himself look'd as one out of Countenance and abandoned, and could scarce find Company enough about him for his Entertainment, either in his Bed-Chamber or in his Walks; when the whole Dependance was on the Successor: so if we by turns look a little at the Successor, those who did this in so scandalous a manner, ought not to take it so very ill from us. In a melancholy State of things, it is hard to deny us the Consolation of hoping that we may see better Days.* But since our Author is so much concerned, that this *Letter* should not be in any manner imputed to the *Princess*, it seems a little strange, that the *Prince* is so given up by him, that he is at no pains to clear him of the Imputation. For the happy Union that is between them, will readily make us conclude, that if the *Prince* ordered it, the *Princess* had likewise her share in it. I find but one glance at the *Prince* in the whole Book, *Pag. 52.* when the Author is pleasing himself with the hopes of Protection from the *Royal Heir* out of a sense of *Filial Duty*: He concludes, *Especially when so nearly allied to the very Bosom of a Prince whose way of Worship neither is the same with the National here, and in whose Countries all Religions have been ever alike tolerated.* The Phrase of *so near an Alliance to the very Bosom of a Prince*, is somewhat extraordinary: An Author that will be florid, scorns so simple an Expression as *married*; he thought the other was more lofty. But the matter of this Period is more remarkable: it intimates as if the *Prince's* way of Worship was so different from ours; tho we hear that he goes frequently with the *Princess* to her Chappel: and expresses no aversion to any of our Forms, tho he thinks it decent to be more constantly in the Exercises of Devotion that are authorized in *Holland.* And as for that, that *all Religions have been ever alike tolerated there*, it is another of our

Author's flights. I do not hear that there are either *Bonzi*s or *Bramans* in *Holland*, or that the *Mahometans* have their *Mosques* there: And sure his Friends the *Roman Catholicks* will tell him, that *all Religions* are not *alike tolerated there*. Thus I have followed him more largely in this Article, than in any other, it being that of the greatest Importance, by which he had endeavoured to blast all the good effects which the *Pensioner's Letter* has had among us.

IX. I have now gone over that, which I thought most important in this Paper: and in which it seemed necessary to inform the Publick aright, without insisting on the particular Slips of the Author of it, or of the Advantages that he gives to any that would answer him more particularly. I cannot think that any Man in the Nation can be now so weak, as not to see what must needs be the effect of the Abolition of the *Test*: after all that we see and hear, it is too great an Affront to Mankind to offer to make it out. A Man's Understanding may really mislead him so far as to make him change his *Religion*, he remaining still an *honest Man*; but no Man can pretend to be thought an *honest Man*, that betrays the legal, and now the only visible Defences of that *Religion* which he professes. The taking away the *Test* for publick Employments, is to set up an Office at *Father Peter's* for all Pretenders; and perhaps a Pretender will not be so much as received, till he has first abjured; so that every Vacancy will probably make five or six Profelites; and those *Protestants* who are already in Employments, will feel their ground quickly fail under them, and upon the first Complaint, they will see what must be done to restore them to favour. And as for the two Houses of *Parliament*, as a great *Creation* will presently give them the Majority in the House of *Lords*: so a new set of *Charters*, and bold *Returns*, will in a little time give them likewise the Majority in the House of *Commons*: and if it is to be supposed that *Protestants*, who have all the Security of the *Law* for their *Religion*, can throw that up; who can so much as doubt that when they have brought themselves into so naked a condition, it will be no hard thing to overturn their whole Establishment? and then perhaps we shall be told more plainly, what is now but darkly insinuated to us by this Author; that the next Heir *seems still to be so nearly related to this State*.

A N

## A P O L O G Y

FOR THE

CHURCH of ENGLAND,

With Relation to the Spirit of

P E R S E C U T I O N,

For which She is accused.

I. **O**NE should think that the Behaviour of the *English Clergy* for some Years past, and the present Circumstances in which they are, should set them beyond *Slander*, and by consequence above *Apologies*; yet since the Malice of her Enemies works against her with so much *Spight*, and since there is no *Insinuation* that carries so much Malice in it, and that seems to have such colours of Truth on it, as this of their having set on a severe *Persecution* against the *Dissenters*; of being still sour'd with that *Leaven*, and of carrying the same implacable Hatred to them, which the present Reputation that they have gained may put them in a further capacity of executing, if another Revolution of Affairs should again give them Authority set about it; it seems necessary to examine it, and that the rather, because some aggravate this so far, as if nothing were now to be so much dreaded as the Church of *England's* getting out of her present Distress.

II. If these Imputations were charged on us only by those of the Church of *Rome*, we should not much wonder at it; for though it argues a good degree of Confidence for any of

that Communion to declaim against the Severities that have been put in Practice among us, since their *little Finger must be heavier than ever our Loins* were, and to whose *Scorpions* our *Rods* ought not to be compared; yet after all, we are so much accustomed to their Methods, that nothing from them can surprisè us. To hear *Papists* declare against Persecution, and *Jesuits* cry up Liberty of Conscience, are, we confess, unusual things: yet there are some degrees of Shame, over which when People are once passèd, all things become so familiar to them, that they can no more be put out of countenance. But it seems very strange to us, that some, who if they are to be believed, are strict to the severest Forms and Sub-divisions of the Reformed Religion, and who some Years ago were jealous of the smallest steps that the Court made, when the danger was more remote, and who cried out *Popery* and *Persecution*, when the design was so mask'd, that some well-meaning Men could not miss being deceived by the Promises that were made, and the Disguises that were put on; that, I say, these very Persons who were formerly so distrustful, should now, when the Mask is laid off, and the Design is avowèd, of a sudden grow to be so believing, as to throw off all Distrust, and be so gullèd as to betray all; and to expose us to the Rage of those, who must needs give some good words, till they have gone the round, and tried how effectually they can divide and deceive us; that so they may destroy us the more easily; this is indeed somewhat extraordinary. They are not so ignorant as not to know, that *Popery* cannot change its Nature, and that *Cruelty and Breach of Faith to Hereticks*, are as necessary parts of that Religion, as *Transubstantiation* and the *Pope's Supremacy* are. If *Papists* were not Fools, they must give good Words and fair Promises, till by these they have so far deluded the poor credulous Hereticks, that they may put themselves in a posture to execute the Decrees of their Church against them; and though we accuse that Religion as guilty both of *Cruelty* and *Treachery*, yet we do not think them Fools: so till their Party is stronger than God be thanked it is at present, they can take no other method than that they take. The Church of *England* was the Word among them some Years ago, *Liberty of Conscience* is the Word at present; and



and we have all possible reason to assure us, that the Promises for maintaining the one, will be as religiously kept as we see those are which were lately made with so great a profusion of Protestations, and shews of Friendship for the supporting of the other.

III. It were great Injustice to charge all the *Dissenters* with the Impertinencies that have appeared in many Addresses of late, or to take our measures of them, from the impudent strains of an *Allop* or a *Care*, or from the more important and now more visible steps that some among them of a higher form are every day making; and yet after all this, it cannot be denied but the several Bodies of the *Dissenters* have behaved themselves of late like Men, that understand too well the true Interest of the Protestant Religion, and of the English Government, to sacrifice the whole and themselves in Conclusion to their private Resentments: I hope the same Justice will be allowed me in stating the matter relating to the so much decried Persecution set on by the Church of *England*; and that I may be suffered to distinguish the Heats of some angry and deluded Men, from the Doctrine of the Church, and the Practices that have been authorized in it; that so I may shew; that there is no reason to infer from past Errors, that we are incurable; or that new Opportunities inviting us again into the same Severities, are like to prevail over us to commit the same Follies over again: I will first state what is past, with the Sincerity that becomes one that would not *lie for God*; that is not afraid nor ashamed to confess Faults that will neither aggravate nor extenuate them beyond what is just, and that yet will avoid the saying of any thing that may give any cause of Offence to any Party in the Nation.

IV. I am very sorry that I must confess; that all the Parties among us, have shewed, that as their turn came to be uppermost, they have forgot the same Principles of Moderation and Liberty which they all claimed when they were oppressed. If it should shew too much ill nature to examine what the *Presbytery* did in *Scotland* when the *Covenant* was in Dominion, or what the *Independents* have done in *New-England*; why may not

not I claim the same priviledg with relation to the Church of *England*, if Severities have been committed by her while she bore Rule? yet it were as easy as it would be invidious to shew, that both *Presbyterians* and *Independents* have carried the Principle of Rigor in the point of Conscience much higher, and have acted more implacably upon it than ever the Church of *England* has done, even in its angriest fits; so that none of them can much reproach another for their Excesses in those matters. And as of all the *Religions* in the World the Church of *Rome* is the most persecuting, and the most bound by her Principles to be unalterably cruel; so the Church of *England* is the least persecuting in her Principles, and the least obliged to repeat any Errors to which the Intrigues of Courts, or the Passions incident to all Parties may have engaged her, of any National Church in *Europe*. It cannot be said to be any part of our Doctrine, when we came out of one of the blackest Persecutions that is in History, I mean Queen *Mary's*, we shewed how little we retained of the Cruelty of that Church, which had provoked us so severely; when not only no Inquiries were made into the illegal Acts of Fury, that were committed in that persecuting Reign, but even the Persecutors themselves lived among us at Ease and in Peace; and no *Penal Law* was made except against the publick Exercise of that Religion, till a great many Rebellions and Treasons extorted them from us for our own Preservation. This is an Instance of the Clemency of our Church, that perhaps cannot be matched in History: and why should it not be supposed, that if God should again put us in the state in which we were of late, that we should rather imitate so noble a Patern, than return to those Mistakes of which we are now ashamed?

V. It is to be considered, that upon the late King's Restoration, the remembrance of the former War, the ill usage that our Clergy had met with in their *Sequestrations*, the angry Resentments of the Cavalier Party, who were ruined by the War; the Interest of the Court to have all those Principles condemned that had occasioned it; the heat that all Parties that have been ill-used are apt to fall into upon a Revolution; but above all, the Practices of those who have still blown the

Coals,

Coals, and set us one against another, that so they might not only have a divided Force to deal with, but might, by turns, make the Divisions among us serve their Ends: All these, I say, concurred to make us lose the happy Opportunity that was offered in the Year 1660, to have healed all our Divisions, and to have triumphed over all the *Dissenters*; not by ruining them, but by overcoming them with a Spirit of Love and Gentleness; which is the only Victory that a Generous and Christian Temper can desire. In short, unhappy Counsels were followed, and severe Laws were made: But after all, it was the Court Party that carried it for rougher Methods. Some considerable Accidents, not necessary to be here mentioned, as they stopped the Mouths of some that had formed a wiser Project, so they gave a fatal Advantage to angry and crafty Men, that to our misfortune, had too great a stroke in the conduct of our Affairs at that Time. This Spirit of Severity was heightened by the Practices of the *Papists*, who engaged the late King in December 1662, to give a Declaration for *Liberty of Conscience*. Those who knew the Secret of his Religion, as they saw that it aimed at the Introduction of *Popery*, so they thought there was no way so effectual for the keeping out of *Popery*, as the maintaining the Uniformity, and the suppressing of all Designs for a Toleration. But while those who managed this, used a due reserve, in not discovering the secret Motive that led them to it; others flew into Severity, as the Principle in vogue: And thus all the slacknings of the rigour of the Laws, during the first *Dutch War*, that were set on upon the pretence of quieting the Nation, and of encouraging Trade, were resisted by the Instruments of an honest *Minister of State*, who knew as well then, as we do now, what lay still at bottom, when *Liberty of Conscience* was pretended.

VI. Upon that Minister's Disgrace, some that saw but the half of the Secret, perceiving in the Court a great inclination to Toleration, and being willing to take Measures quite different from those of the former Ministry, they entered into a Treaty for a *Comprehension of some Dissenters, and the tolerating of others*; And some Bishops and Clergy-men, that were inferior to none of the Age in which they lived, for true Worth and a right  
Judg-

Judgment of Things, engaged so far, and with so much success into this Project, that the Matter seemed done, all things being concerted among some of the most considerable Men of the different Parties. But the dislike of that Ministry, and the Jealousy of the ill Designs of the Court, gave so strong a Prejudice against this, that the Proposition could not be so much as hearkned to by the House of Commons: And then it appeared how much the whole *Popish Party* was alarmed at the Project: It is well known with how much Detestation they speak of it to this day; though we are now so fully satisfied of their Intentions to destroy us, that the Zeal which they pretended for us, in opposing that Design, can no more pass upon us.

VII. At last, in the Year 1672. the Design for *Poperly* discovering it self, the End that the Court had in favouring a Toleration became more visible: And when the Parliament met, that condemned the *Declaration for Liberty of Conscience*, the Members of the House of Commons, that either were Dissenters, or that favoured them, behaved themselves so worthily in concurring with those of the Church of *England*, for stifling that Toleration, chusing rather to lose the benefit of it, than to open a Breach at which *Poperly* should come in, that many of the Members that were of the Church of *England* promised to procure them a Bill of *Ease for Protestant Dissenters*. But the Session was not long enough for bringing that to Perfection; and all the Sessions of that Parliament after that, were spent in such a continual struggle between the Court and Country-Party, that there was never room given for calm and wise Consultations: yet though the Party of the Church of *England* did not perform what had been promised by some leading Men to the Dissenters, there was little or nothing done against them; after that, till the Year 1681, so that for about nine Years together they had their Meetings almost as publickly and as regularly as the Church of *England* had their Churches, and in all that time, whatsoever particular Hardships any of them might have met with in some corners of *England*, it cannot be denied but they had the free Exercise of their Religion, at least in most parts.

VIII. In the Year 1678, things began to change their face : it is known that upon the breaking out of the *Popish Plot*, the Clergy did universally express a great desire for coming to some temper in the Points of Conformity : all sorts and ranks of the Clergy seemed to be so well disposed towards it, that if it had met with a suitable Entertainment, matters might probably have been in a great measure composed. But the Jealousy that those who managed the Civil Concerns of the Nation in the House of Commons, took off all that was done at Court, or proposed by it, occasioned a fatal Breach in our Publick Councils : in which division, the Clergy by their Principles and Interests, and their Disposition to believe well of the Court, were determined to be of the King's side. They thought it was a Sin to mistrust the late King's Word, who assured them of his steadiness to the Protestant Religion so often, that they firmly depended on it : and his present Majesty gave them so many Assurances of his maintaining still the Church of *England*, that they believed him likewise : and so thought that the Exclusion of him from the Crown, was a degree of Rigor to which they in Conscience could not consent : upon which they were generally cried out on, as the Betrayers of the Nation and of the Protestant Religion : Those who demanded the Exclusion, and some other Securities, to which the Bishops would not consent in Parliament, looked on them as the chief hinderance that was in their way : and the License of the Press at that time was such, that many Libels, and some severe Discourses were published against them. Nor can it be denied, that many Church-men, who understood not the Principles of Human Society, and the Rules of our Government, so well as other Points of Divinity, writ several Treatises concerning the measures of Submission, that were then as much censured, as their Performances since against *Popery* have been deservedly admired. All this gave such a Jealousy of them to the Nation, that it must be confessed, that the Spirit which was then in fermentation went very high against the Church of *England*, as a Confederate at least to *Popery* and *Tyranny*. Nor were several of the Nonconformists wanting to inflame this dislike ; all secret Propositions for accommodating our Differences were

so coldly entertained, that they were scarce hearkned to. The Propositions which an Eminent Divine made even in his Books writ against Separation, shewed, that while we maintained the War in the way of Dispute, yet we were still willing to treat: for that great Man made not those Advances towards them without consulting with his Superiors. Yet we were then fatally given up to a Spirit of Dissention: and tho the Parliament in 1680 entred upon a project for healing our Differences, in which great steps were made to the removing of all the occasions of our Contest; the Leaders of the Dissenters, to the amazement of all Persons, made no account of this, and even seemed uneasy at it, of which the Earl of *Nottingham* and Sir *Thomas Clarges*, that set on that Bill with much Zeal, can give a more particular account. All these things concurred to make those of the Church of *England* conclude, a little too rashly, that their Ruin was resolv'd on; and then it was no wonder if the Spirit of a Party, the remembrance of the last Wars, the present prospect of Danger, and above all, the great favour that was shewed them at Court, threw them into some angry and violent Counsels. Self-preservation is very natural: and it is plain, that many of them took that to be the case; so that truly speaking, it was not so much at first a Spirit of Persecution, as a desire of disabling those who they believed intended to ruin them from effecting their Designs; that set them on to all those unhappy things that followed. They were animated to all they did by the continued Earnestness of the King and Duke, and their Ministers. That Reproach of Justice and of the Profession of the Law, who is now so high, was singled out for no other end, but to be their *Common-Hangman* over *England*: of whom the late King gave this true Character, *That he had neither Wit, Law, nor Common Sense; but that he had the Impudence of ten carted Whores in him.* Another Buffoon was hired to plague the Nation with three or four Papers a Week; which to the Reproach of the Age, in which we live, had but too great and too general an effect, for poisoning the Spirits of the Clergy. But those who knew how all this was managed, saw that it was not only set on, but still kept up by the Court. If any of the Clergy had put preached a word for Moderation, he had a chiding sent

sent him presently from the Court; and he was from that day marked out as a *disaffected Person*; and when the Clergy of *London* did very worthily refuse to give Informations against their Parishioners that had not always conformed, the design having been formed upon that to bring them into the *Spiritual Courts*, and excommunicate them, and make them lose their Right of Voting, that so the Charter of *London* might have been delivered up when so many Citizens were by such means shut out of the Common-Council. We remember well how severely they were censured for this, by some that are now dead, and others that are yet alive. I will not go further into this matter: I will not deny but many of the Dissenters were put to great Hardships in many parts of *England*. I cannot deny it, and I am sure I will never justify it. But this I will positively say, having observed it all narrowly, that he must have the brow of a *Jesuit*, that can cast this wholly on the Church of *England*, and free the Court of it. The beginnings and the progress of it came from the Court, and from the Popish Party; and though perhaps every one does not know all the Secrets of this matter, that others may have found out, yet no Man was so ignorant as not to see what was the chief Spring of all those irregular Motions that some of us made at that time: so upon the whole matter, all that can be made out of this, is, that the Passions and Infirmities of some of the Church of *England*, being unhappily stirred up by the Dissenters; they were fatally conducted by the Popish Party, to be the Instruments in doing a great deal of Mischiefs.

IX. It is not to be doubted, but though some weaker Men of the Clergy may perhaps still retain their little peevish Animosities against the Dissenters, yet the wiser and more serious Heads of that great and worthy Body, see now their Error; they see who drove them on in it, till they hoped to have ruined them by it. And as they have appeared against Popery, with as great a strength of Learning and of firm Steadiness as perhaps can be met with in all Church-History, so it cannot be doubted, but their Reflections on the Dangers into which our Divisions have thrown us, have given them truer Notions with relation to a rigorous Conformity; and that the just Dete-

station which they have expressed of the Corruptions of the Church of *Rome*, has led them to consider and abhor one of the worst things in it, I mean their *Severity* towards *Hereticks*. And the ill use that they see the Court has made of their Zeal for supporting the Crown, to justify the Subversion of our Government that is now set on, from some of their large and unwary Expressions, will certainly make them hereafter more cautious in meddling with *Politicks*: the Bishops have under their Hands both disowned that wide extent of the *Prerogative*, to the overturning of the *Law*, and declared their Disposition to come to a Temper in the matters of *Conformity*; and there seems to be no doubt left of the Sincerity of their Intentions in that matter. Their Piety and Vertue, and the prospect that they now have of suffering themselves, put us beyond all doubt as to their Sincerity; and if ever God in his Providence brings us again into a settled State, out of the Storm into which our Passions and Folly, as well as the Treachery of others, has brought us, it cannot be imagined that the Bishops will go off from those moderate Resolutions which they have now declared: and they continuing firm to them, the weak and indiscreet Passions of any of the Inferior Clergy must needs vanish, when they are under the Conduct of wise and worthy Leaders. And I will boldly say this, that if the Church of *England*, after she has got out of this Storm, will return to hearken to the peevishness of some four Men, she will be abandoned both of God and Man, and will set both Heaven and Earth against her. The Nation sees too visibly how dear the dispute about *Conformity* has cost us, to stand any more upon such *Punctilios*; and *Those in whom our Deliverance is wrapt up*, understand this matter too well, and judg too right of it, to imagine that ever they will be *Priest-ridden* in this point. So that all Considerations concur to make us conclude, that there is no danger of our splitting a second time upon the same Rock: and indeed, if any Argument were wanting to compleat the certainty of this Point, the wise and generous Behaviour of the main Body of the Dissenters, in this present Juncture, has given them so just a Title to our Friendship, that we must resolve to set all the World against us if we can ever forget it, and if we do not make them all the returns of Ease and Favour when it is in our Power to do it.



X. It is to be hoped, that when this is laid together, it will have that effect on all sober and true Protestants, as to make them forget the little angry Heats that have been among us, and even to forget the Injuries that have been done us : all that we do now one against another, is to shorten the work of our Enemies, by destroying one another, which must in Conclusion turn to all our Ruin. It is a mad Man's Revenge, to destroy our Friends that we may do a pleasure to our Enemies, upon their giving us some good words ; and if the *Dissenters* can trust to *Papists*, after the usage that the Church of *England* has met with at their Hands, all the Comfort that they can promise themselves, when *Popery* begins to act its natural part among us, and to set *Smithfield* again in a Fire, is that which befell some *Quakers* at *Rome*, who were first put in the *Inquisition*, but were afterwards removed to *Bedlam* : so tho' those false Brethren among the *Dissenters*, who deceive them at present, are certainly no *Changlings*, but know well what they are doing ; yet those who can be cheated by them, may well claim the priviledg of a *Bedlam*, when their Folly has left them no other Retreat.

XI. I will not digress too far from my present purpose, nor enter into a discussion of the *Dispensing Power*, which was so effectually overthrown the other day at the *King's Bench Bar*, that I am sure all the Authority of the *Bench* it self is no more able to support it : Yet some late Papers in favour of it, give me occasion to add a little relating to that Point. It is true, the Assertor of the *Dispensing Power*, who has lately appeared *with Allowance*, pretends that it can only be applied to the *Test* for Publick Employments : for he owns that the *Test* for both Houses of Parliament, is left entire, as not within the compass of this extent of the Prerogative : But another Writer, whom by his Sense we must conclude an *Irish Man*, by his Brow a *Jesuit*, and by the bare designation in the Title Page, of *James Stewart's Letter*, a *Quaker*, goes a strain higher, and thinks the King is so absolutely the Sovereign as to the Legislative part of our Government, that he may dissolve even the *Parliament Test* : so nimbly has he leap'd from being a *Secretary to a Rebellion*, to be an *Advocate for Tyranny*. He  
fancies,

fancies, that because no Parliament can bind up another therefore they cannot limit the Preliminaries to a subsequent Parliament. But upon what is it then that Counties have but two Knights, and Burroughs as many; that Men below such a value have no Vote; that Sheriffs only receive Writs and return Elections, besides many more necessary Requisites to the making a legal Parliament? In short, if Laws do not regulate the Election and Constitution of a Parliament, all these things may be overthrown, and the King may cast the whole Government in a new Mould, as well as dissolve the Obligation that is on the Members of Parliament for taking the *Test*. It is true, that as soon as a Parliament is legally met and constituted, it is tied by no Laws, so far as not to repeal them: But the Preliminaries to a Parliament are still Sacred, as long as the Law stands that settled them; for the Members are still in the quality of ordinary Subjects, and not entred upon their share in the Legislative Power; till they are constituted in a Parliament legally chosen and lawfully assembled, that is, *having observed all the Requisites of the Law*. But I leave that impudent Letter, to return to the most modest Apology that has been yet writ for the *Dispensing Power*. It yields that the King cannot *abrogate* Laws, and pretends only that he can dispense with them: And the distinction it puts between *Abrogation* and *Dispensation*, is, that the one is a total Repeal of the Law, and that the other is only a slackning of its obligatory Force, with Relation to a particular Man, or to any Body of Men; so that according to him, a simple *Abrogation*, or a *total Repeal*, is beyond the compass of the Prerogative. I desire then that this Doctrine may be applied to the following words of the *Declaration*; from which the Reader may infer, whether these do import a simple Abrogation, or not; and by Consequence, if the Declaration is not illegal; "We do hereby further declare, "that it is our *Royal Will* and *Pleasure*, that the Oaths commonly called the Oaths of Supremacy and Allegiance; and "also the several Tests and Declarations—shall not *at any* "time hereafter, be required to be taken, declared, or subscribed by *any Person or Persons whatsoever*, who is or shall be "employed in any Office or Place of Trust, either Civil or Military, under us, or in our Government. This is plain *Eng-*  
*lish*,

lish, and needs no Commentary. That Paper offers likewise an Expedient for securing *Liberty of Conscience*, by which it will be set beyond even the *Dispensing Power*; and that is, that by Act of Parliament all Persecution may be declared to be a thing *Evil in it self*, and then the Prerogative cannot reach it. But unless this Author fancies, that a Parliament is that which those of the Church of *Rome* believe a *General Council* to be, I mean, *Infalible*, I do not see that such an Act would signify any thing at all. An Act of Parliament cannot change the Nature of Things which are sullen, and will not alter, because a hard Word is clap'd on them in an Act of Parliament; nor can that make that which is not *Evil of it self* become *Evil of self*: For can any Act of Parliament make the *Clipping of Money*, or the not *Burying in Wollen*, *evil of it self*? Such an Act were indeed *null of it self*, and would sink with its own weight, even without the burden of the Prerogative to press it down; and yet upon such a Sandy Foundation would these Men have us build all our Hopes and our Securities. Another Topick like this, is, that we ought to trust to the Truth of our *Religion*, and the Providence and Protection of God; and not lean so much to *Laws* and *Tests*: All this were very pertinent, if God had not already given us humane Assurances against the Rage of our Enemies, which we are now desired to abandon, that so we may fall an easy and cheap Sacrifice to those who wait for the favourable Moment to destroy us. By the same Reason they may perswade us to take off all our Doors, or at least all our Locks and Bolts, and to sleep in this exposed Condition, trusting to God's Protection. The Simily may appear a little too high, though it is really short of the Matter; for we had better trust our selves to all the Thieves and Robbers of the Town, who would be perhaps contented with a part of our Goods, than to those whose Designs are equally against both Soul and Body, and all that is dear to us.

XII. I will only add another Reflection upon the renewing of the *Declaration* this Year, which has occasioned the present Storm upon the Clergy. It is repeated to us, that so we may see that the *King* continues firm to the Promises he made last

Year.

Year. Yet when Men of Honour have once given their *Word*, they take it ill if any do not trust to that, but must needs have it repeated to them. In the ordinary Commerce of the World, the repeating of Promises over and over again, is rather a ground of *Suspicion* than of *Confidence*: and if we judg of the Accomplishment of all the other parts of the *Declaration*, from that one which relates to the maintaining of the Church of *England as by Law established*, the Proceedings against the *Fellows of Magdalen Colledge*, gives us no reason to conclude, that this will be like the *Laws of the Medes and Persians, which alter not*: all the talk of the New *Magna Charta* cannot lay us asleep, when we see so little regard had to the *Old one*. As for the security which is offered us in this repeating of the *King's Promises*, we must crave leave to remember, that the *King of France*, even after he had resolved to break the *Edict of Nantes*, yet repeated in above an hundred *Edicts*, that were real and visible Violations of that *Edict*, a Clause confirmatory of the *Edict of Nantes*, declaring that he would never *Violate* it: and in that we may see what Account is to be had of all *Promises* made to *Hereticks* in Matters Religion, by any Prince of the Roman Communion, but more particularly by a *Prince* who has put the conduct of his *Conscience* in the Hands of a *Jesuite*.

Some

Some EXTRACTS out of  
 Mr. JAMES STEWART'S  
 LETTERS,

*Which were Communicated to Mijn Heer  
 FAGAL, the States Pensioner of the  
 Province of Holland.*

*Together with some References to Master  
 STEWART'S Printed Letter.*

**M**R. Stewart staid about seven Months, after he had received the *Pensionary's Letter*, before he thought fit to write any *Answer* to it: and then instead of sending one in writing to the *Pensioner*, or in a Language understood by him, he has thought fit, by a Civility peculiar to himself, to print an *Answer* in *English*, and to send it abroad into the World, before the *Pensioner* had so much as seen it. The many and great Affairs that press hard upon that Eminent Minister, together with a sad want of Health, by which he has been long afflicted, have made, that he had not the leisure to procure Mr. Stewart's Letter to be translated to him; and to compare the Matters of Fact related to in it, with the Letters that were writ the last Year by Mr. Stewart, which are in his possession;

possession; nor did he think it Necessary to make too much haste: and therefore if he has let as many *weeks* pass, without ordering an *Answer* to be prepared, as the other had done *Months*, he thought that even this slowness, might look like one that despised this indecent Attempt upon his Honour, that Mr. *Stewart* has made in giving so unjust a representation of the Matter of Fact. He hopes he is too well known to the World, to apprehend that any Persons would entertain the hard thoughts of him, which Mr. *Stewart's* late Print may have offered to them; and therefore he has proceeded in this Matter, with the slowness that he thought became his Integrity, since a greater haste might have look'd like one that was uneasy, because he knew himself to be in Fault. As for the reasoning part of Mr. *Stewart's* Paper, he has already expressed himself in his Letter to Mr. d' *Albeville*, that he will not enter into any arguing upon those Points, but will leave the Matter to the Judgment of every Reader; therefore he has given order only to examin those Matters of Fact, that are set forth in the beginning of Mr. *Stewart's* Letter, that so the World may have a true account of the Motives that induced him to write his Letter to Mr. *Stewart*, from the words of Mr. *Stewart's* own Letters: and then he will leave it to the Judgment of every Reader, whether Mr. *Stewart* has given the Matter of Fact fairly or not. It is true, the *Pensioner* has not thought fit to print all Mr. *Stewart's* Letters, at their full length; there are many Particulars in them for which he is not willing to expose him: and in this he has shew'd a greater regard to Mr. *Stewart*, than the usage that he has met with from him deserves: If Mr. *Stewart* has kept Copies of his own Letters, he must see that the *Pensioner's* reservedness is rather grounded on what he thought became himself, than on what Mr. *Stewart* has deserved of him. But if Mr. *Stewart*, or any in his Name, will take Advantage from this, that the Letters themselves are not published, and that here there are only *Extracts* of them offered to the World; then the *Pensioner* will be excused, if he prints them all to a Title. The Truth is, it is scarce conceivable how Mr. *Stewart* could assume the confidence that appears in his printed Letter, if he have kept Copies of the Letters that he writ last Year: and if he engaged himself in Affairs of such Importance,

tance, without keeping Copies of what he writ, it was somewhat extraordinary; and yet this censure is that which falls the softest on him; but I will avoid every thing that looks like a sharpness of Expression; for the *Pensioner* expects, that he who is to give this Account to the *English Nation*, should rather consider the Dignity of the *Post* in which he is, than the Advantages that Mr. *Stewart* may have given for replying sharply on him. And in this whole Matter the *Pensioner's* chief concern is, to offer to the World such a Relation of the Occasions that drew his *Letter* to Mr. *Stewart* from him, as may justify him against the false Insinuations that are given: he owed this likewise, as an expression of his Respect and Duty to their Highnesses, in whose Name he wrote his *Letter*, and at whom all those false Representations are levelled, tho' they fall first and immediately upon himself.

The sum of the Matter of Fact, as it is represented by Mr. *Stewart*, amounts to this, 'That he was so surpris'd to see, "in *January* last, the *Pensioner's* Letter to him in print, that "he was inclined to disbelieve his own Eyes, considering "the remoteness of the occasion that was given for that *Letter*: that he had never writ to the *Pensioner*, but was expressly "cautioned against it. But that seeing the sincerity of the King's "Intentions, he was desirous to contribute his small endeavours "for the advancing so good a Work, and for that end he "Obtained Leave to write to a private Friend, who he judged "might have opportunity to represent any thing he could say "to the best advantage; but that of the *Letters* which he writ "to his Friend, there were only two intended for communication, in which he studied to evince the Equity and Expediency, "of repealing the *Tests* and the *Penal Laws*; and that with a peculiar regard to the *Prince* and *Princess* of *Orange's* Interest; "and he desired that this might be Imparted to Friends, but "chiefly to those at the *Hague*. And that this was the substance of all that he writ on that occasion. But finding that "the *Prince* had already declared himself in those Matters, "he resolv'd to insist no further: yet his Friend insinuating, "that he had still hopes to get a more distinct and satisfying "Answer, from a better hand, though without naming the "Person, he attended the Issue; and about the beginning of "November, almost three moneths after his first writing, he received

"ceived the *Pensioner's Letter*, though he had not writ to him  
 " (which is repeated again and again) and in it an account of the  
 "*Prince and Princess of Orange's Thoughts about the Repeal of*  
 "*the Tests and Penal Laws* (which he had not desired) upon which  
 " he took some care to prevent the publishing of it: But when  
 " he saw it in print, he clearly perceived that it was printed  
 " in *Holland*; and so wonders how the *Pensioner* could say, that  
 " it was printed in *England*, which he found in his printed Letter  
 " to Mr. *d'Albeville*. He knows not upon what Provocation  
 " the *Pensioner* writ that Letter: but in it he finds that he writ,  
 " that he was desired by himself to give him an account of the  
 "*Prince and Princess of Orange's Thoughts*, and that these pressing  
 " Desires were made to him by His Majesty's Knowledge  
 " and Allowance: this being so different from the Letters he  
 " had writ, of which he is sure that the account he has given is  
 " true in every point, he was forced to vindicate the King's Honour  
 " and his own Duty. He writ not out of any curiosity  
 " to know their Highnesses Thoughts, which were already  
 " known, they having been signified to the *Marquis of Albeville*,  
 " and therefore he had no Orders from the King for writing  
 " on that Subject, but only a Permission to use his little  
 " Endeavors for the advancing of his Service; but it was  
 " never moved to him to write, either in the King's Name, or  
 " in the Name of any of his Secretaries. This is Mr. *Stewart's*  
 " Account in the first nine Pages of his Letter, and is set down  
 " in his own words.

Now in opposition to all this, it will appear from the following  
*Extracts*, that Mr. *Stewart* writ to his Friend, as the most proper  
 Interpreter for addressing himself to the *Pensioner*: that he repeated  
 his Proposition frequently, finding his Friend unwilling to engage  
 in so Critical a matter. He gives great Assurances of His  
 Majesty's Resolutions never to alter the Succession, (which is  
 plainly the Language of a Treaty) he presses over and over again  
 to know the *Prince's* Mind, whose concurrence in the Matter  
 would be the best Guarantee of the Liberty. He, by Name, desires  
 his Letters may be shewed to the *Prince and Princess of Orange*  
 (though he says, he only ordered them to be shewed to  
*Friends at the Hague*: so it seems he has the modesty to reckon  
 them among the number of his *Friends*: but it is a question  
 whether their Highnesses do so or not.



not) he says in one *Letter*, That what he writ was from his Majesty himself, and enlarges more fully on this in two other *Letters*; and he desires, that the *Princes Answers*, with his *Reasons*, might be understood; which very probably gave the occasion to all the reasoning part of the *Pensioner's Letter*: and it appears by that *Letter*, that the *Return* to all this was expected by the *King*, and in almost every *Letter* he presses for a *Return*.

And in Conclusion, upon his receiving the *Pensioner's Letter*, he expresses likewise a great sense of the Honour done him in it: that he had so far complied with his Insignificant Endeavours; he mentions his acquainting both the *King* and the *Earls of Sunderland* and *Adelfort* with it; and in another *Letter*, after new Thanks for the *Pensioner's Letter*, he laments that it was so long delayed. But all these things will appear more evident to the *Reader*, from the Passages drawn out of *Mr. Stewart's* own *Letters*, which follow. *Mr. Stewart* seems not to know upon what provocation the *Pensioner* writ to *Mr. d'Albeville*, and yet the *Pensioner* had set that forth in the *Letter* it self; for the Pamphlet entituled *Parliamentum Pacificum*, that was licensed by the *Earl of Sunderland*, contained such Reflections on his *Letter* to *Mr. Stewart*, either as a *Forgery*, or as a thing done without the *Princess of Orange's* knowledge, that the *Pensioner* judged himself bound in honour to do himself right. As for *Mr. Stewart's* criticalness, in knowing that the *Pensioner's Letter* was first printed in *Holland*, and his Reflection on the *Pensioner* for insinuating that the *Letter* was first printed in *England*; it is very like that *Mr. Stewart*, after so long a practice in *Libels*, knows how to distinguish between the Prints of the several Nations better than the *Pensioner*, whose course of Life has raised him above all such Practices. But it is certain, that wheresoever it was first printed, the *Pensioner* writ sincerely, and believed really that it was first printed in *England*. This is all that seemed necessary to be said for an Introduction to the following *Extracts*.

July

July 12, 1687.

**A**ND I assure you, by all I can find here, the Establishment of this equal Liberty is his *Majesty's* utmost Design — I wish your People at the *Hague* do not mistake too far both his *Majesty* and the *Dissenters*; for as I have already told you his *Majesty's* utmost Design, and have ground to believe that his *Majesty* will preserve and observe the *true Right of Succession*, as a thing most sacred; so I must entreat you to remark, that the Offence that some of the *Church-of-England-Men* take at Addressing, seems to me unaccountable, and is apprehended by the *Dissenters* to proceed so certainly from their former and wonted Spirit, that they begin to think themselves in large more hazard from the Church of *England's* Re-exaltation, than all the *Papists* their Advantages. And next, that the Prince is thought to be abused by some there to a too great Mistle of that which can never wrong him, but will in probability in the Event be wholly in his own Power — I hope you will consider and make your best use of these things — I expect an account of this per first, I mean, an Answer to this Letter, and pray improve it to the best Advantage.

The Second Letter, without a Date.

**T**HAT it is a thing most certain, that his *Majesty* is resolved to observe the *Succession to the Crown* as a thing most sacred, and is far from all thoughts of altering the same; and that his *Majesty* is very desirous to have the *Prince* and *Princess* of *Orange* to consent to concur with him in establishing this Liberty — So that upon the whole it may be feared, that if the *Prince* continue obstinate in refusing his *Majesty*, he may fall under suspicions of the greatest part of *England*, and

of all *Scotland*, to be too great a Favourer of the Church of *England*, and consequently a Person whom they have reason to dread ———— And many think that this Compliance in the *Prince*, might be further a wise part, both as to the conciliating of his *Majesty's* greater Favour, and the begetting of an understanding betwixt the *King* and the *States*; and the *Parliament* will consent to the Liberty so much the rather, that they have a *Protestant Successor* in prospect ————

I cannot on these things make any Conclusion, but simply leave them to your Reflection, and the best use you please to make of them ———— I will expect your Answer per first.

Windfor, July 18. 1687.

**T**HE Hints that I gave you in my two former Letters, I shall now explain more fully in this ———— And therefore I heartily wish, that the *Prince* and *Princess*, may understand all that you think needful on this Subject: it troubles his *Majesty* to find them so averse from approving this *Liberty*, and concurring for its Establishment ———— so that in truth I cannot see why their Highnesses should not embrace cheerfully so fair an Opportunity to gratify both his *Majesty* and the far greater and better part of the Nation.

Now upon the whole; I expect that you will make all I have written fully known at the *Hague*, especially with the *Prince* ———— But the main thing I expect from you, is to have your Mind, whether or not his *Highness* may be so disposed, as that a well chosen Informer sent to himself might perfect the work. And this Answer I will expect per first; where-ever the *Prince* be, you know who are to be spoken, and how ———— I again entreat your Care and Dispatch in this with your Return.

London,

London, July 29. 1687.

**M**ine of the 17<sup>th</sup> July, with my last of the 26<sup>th</sup> July V. Sr. will I am sure satisfy you fully; for therein I have indeed answered all can be objected, and have given you such an Account of the Confirmation of all I have writ *from his Majesty himself*, that I must think it a Fatality if your People remain obstinate. ————— And I again assure you, if your People be obstinate, it will be *fatal* to the poor *Dissenters*, and I fear productive of Ills yet unheard of; and therefore pray consider *my Letters*, and *let me know if there be any place to receive Information by a good hand* ————— but however, let us endeavour Good all we can, and I assure you I have my *Warrant*. ————— *Haste your Answer.*

Windsor, Aug. 5. 1687.

**A**ND in a word, believe me, if the *Prince* will do what is desired, it is the best Service to the *Protestants*, the *Highest Obligation on his Majesty*, and the greatest Advancement of his own Interest that he can think on: but if not, then all is contrary ————— but pray *haste an Answer.*

Windsor, Aug. 12. 1688.

**I** Have yours of the 17<sup>th</sup> Instant, long look'd for; your Remark, that you have received mine of the 26<sup>th</sup> of July, but say nothing of that of the 19<sup>th</sup>, which was my fullest, and  
which

which I assure you was writ, not only with permission, but according to his Majesty's Mind sufficiently expressed; our Religion ought certainly to be dearer to us than all Earthly Concerns. It is very true what you say, that Mistakes about its Concerns (especially in such a time) may be of the greatest Importance, which no doubt should perswade to a very scrupulous caution: But yet I am satisfied, that the simple representing of what was wrote to you (which was all I required) was no such difficult Task ——— But to be plain with you, as my Friend, your return was not only long delay'd, but I observe such a Coldness in it, different from the strain of your former, that I think I mistake not when I understand by your Letter more than you express ——— I wish the P. may see or hear this from end to end.

London, Aug. 22. 1687.

I have yours of the 16th Instant. When I said your last was more cool, I meant not as to your Affection, but as to your Diligence in that Affair ——— for I am perswaded, that the establishing of this Liberty by Law, is not only the Interest of Protestant Dissenters above all others, but that his Highness, consenting to it, would be its secure Guarantee both against Changes and Abuses ——— As you love the quiet of good Men and me, leave of Complements and Ceremonies, and discourse his Highness of all I have written ——— I am now hastning to Scotland ——— but may return shortly; for the King is most desirous to gain the Prince, and he will be undoubtedly the best Guarantee to us of this Liberty, and also to hinder all your Fears about Popery.

Newark, Aug. 26. 1687.

**B**UT now I must tell you, that though ——— I know. ——— to be my very good Friend, yet he hath not answered my Expectation; for you see that to seven of mine, he gave me not one word of *Answer*, although I told him, that *the Substance of them was writ by the King's Allowance, and a Return expected by him* ——— besides, the *Answers* he makes are either *Generals* or *Complements*, whereas my desire was, that the *Prince* should know things, *and that his Answer with his Reasons might be understood* ——— but my Friend has delayed and scuffled things.

From Scotland, Septemb. 24. 1687.

**I** Have yours of the 30th of *August*, but have delayed so long to answer, because I had written other Letters to you whereof I yet expect the Return ——— my most humble Duty to my Friend at the *Hague*.

Edinburgh, Octob. 8. 1687.

**A**S for that more important Affair wherewith I have long troubled you, I need add no more; my Conscience bears me witness, I have dealt sincerely for the freedom of Gospel ——— *I had certainly long ere now written to Pensioner Fagel, were it not that I judged you were a better Interpreter of any thing I could say: I know his real Concern for the*

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the *Protestant Religion*; and shall never forget his undeserved Respects to me; but alas! that Providences should be so ill understood.

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London, Novemb. 8. 1687.

I Have yours of the 1st of *November* — the enclosed from the *L. Pensionary* surprize me with a Testimony of his Favour and Friendship, and also of his sincere love to the Truth, and fair and candid reasoning upon the present Subject of *Liberty*, beyond what I can express; he hath seriously done too much for me; but the more he hath done in Compliance with my insignificant Endeavours, the more do I judg and esteem his noble and zealous Concern for Religion and Peace, which I am certain could only in this matter be his just Motive: I hope you will testify to him my deep sense of his Favour and most serious profession of Duty with all diligence, until I be in case to make his *L.* a direct return. I shewed the Letter to my Lord *Melfort*, who was satisfied with it.

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London, Novemb. 6. 1687. which it seems is by  
a Mistake of the Date.

I Have your last, but have been so harrassed and toiled, that I have not had time to write to you, *much less to my L. Pensionary*; yet since my last, I acquainted the *Earl of Sunderland* with his Answer, as the King ordered me; but I see all hope from your side is given quite over, and Men are become as cold in it here, as you are positive there.

London, Novemb. 19. 1687.

**B**Y my last of the Eighth Instant, I gave you notice of the Receipt of my Lord *Pensionary's* Letters, and what was and is my sense of *his extraordinary Kindness and Concern in that Affair*; since that time I have had the opportunity to shew them to the King, and at his Command did read to him distinctly, out of the English Copy, all the Account given of their Highnesses Mind touching the Penal Statutes and the Test; and withal, signified the sum of what was subjoined, especially the respect and deference therein expressed to his Majesty's Person and Government; but to my regret, I find that this Answer hath been too long delayed; and that now the King is quite over that Matter, being no ways satisfied with the Distinction made of the Tests from the Penal Laws; and no less positive, that his Highness is neither to be prevail'd upon, nor so much as to be further treated with in this Matter.

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T H E  
C O N C L U S I O N.

**A**ND thus all that relates to the Occasion that drew the *Pensioner's Letter* from him, appears in its true Light: If this Discovery is uneasy to Mr. Stewart, he has none to blame for it but himself. It is very likely the first Article of his Merit, for the defacing of all that was past, was the pains he took to work on their Highnesses, by the *Pensioner's* Means: But that having failed him, the abusive Letter that he has published upon it, may come in for a second Article: And now the Reproaches to which this Discovery must needs expose him,





# An EDICT in the Roman Law :

In the 25 Book of the *Digests*, Title 4. Sect. 10.

As concerning the visiting of

## A Big-Bellied W O M A N :

And the looking after

### What may be born by Her.

The *Pretor* says thus ;

§. 10. **D**E inspiciendo ventre, custodiendoque partu, sic Prætor ait : “ Si mulier mortuo marito prægnantem se esse dicet, his ad quos ea res pertinebit, procuratorive eorum, bis in mense denunciandum curet, ut mittant, si velint, quæ ventrem inspicient. Mittantur (autem) mulieres liberæ duntaxat quinque; hæc; simul

“ **I**F a Woman, upon her Husband’s Death, pretends that she is with Child, she must intimate that twice every Month thereafter, to those who are the most concerned in it, or to their Proxies, that so they may send some, if they think fit, to visit her Belly. They may send any Free-Women, (i. e. not Slaves) to the number of five at most : and all these together may visit her ; provided, that while they do it, none of them may touch her Belly, without her leave : She shall

“ simul omnes inspiciant :  
 “ Dum ne qua earum, dum  
 “ inspicit, invita muliere  
 “ ventrem tangat. Mulier  
 “ in domu honestissima  
 “ foeminae pariat, quam e-  
 “ go, constituam. Mulier  
 “ ante dies triginta, quam  
 “ parituram se esse putat,  
 “ denunciaret his ad quos ea  
 “ res pertinet, procuratori-  
 “ busve eorum, ut mittant,  
 “ si velint, qui ventrem cu-  
 “ stodiant. In quo con-  
 “ clavi mulier paritura e-  
 “ rit, ibi ne plures additus  
 “ sint, quam unus : si e-  
 “ runt, ex utraq; parte ta-  
 “ bulis praefigantur. Ante  
 “ ostium ejus conclavis li-  
 “ beri tres, & tres liberae  
 “ cum binis comitibus cu-  
 “ stodiant. Quotiescunque  
 “ ea mulier in id conclave,  
 “ aliudve quod, sive in ba-  
 “ lineum ibit, custodes, si  
 “ volent, id ante prospici-  
 “ ant : & eos qui introie-  
 “ rint, excutiant. Custo-  
 “ des, qui ante conclave po-  
 “ siti erunt, si volunt, om-  
 “ nes, qui conclave aut  
 “ domum introierint, ex-  
 “ cutiant. Mulier, cum  
 partu:

“ shall be lodged in the House of  
 “ some Woman of an untainted  
 “ Reputation, such as shall be  
 “ named by the Pretor : And  
 “ she shall signify to the Persons  
 “ concerned, or to their Proxies,  
 “ thirty days before, when she  
 “ expects to be delivered, that if  
 “ they think fit, they may send  
 “ such as may watch over her.  
 “ The Room in which she is to  
 “ be brought to Bed, shall be visi-  
 “ ted, that there may be no o-  
 “ ther Entries to it but one :  
 “ and if there are any other, care  
 “ must be taken to nail them up  
 “ with Boards laid along both  
 “ within and without ; and at the  
 “ Door of this Bedchamber three  
 “ Free-Men with as many Free-  
 “ Women, and two Servants, may  
 “ be set to watch ; as oft as the  
 “ Woman thinks fit to go into that  
 “ Bedchamber, or into any other,  
 “ or into a Bath, which those  
 “ Keepers may visit if they think  
 “ fit, before she goes into it, and  
 “ may also visit all that go into  
 “ it at that time : and those  
 “ Keepers may also, if they think  
 “ fit, search all such as come  
 “ within the House or the Bed-  
 “ chamber. When the Woman  
 “ falls in Labour, she shall give  
 “ notice of it to those concerned,  
 “ or to their Proxies ; that so  
 “ they may send such Persons  
 “ who may be Witnesses to the  
 “ Birth ; who must be Free-  
 Women;

“parturire incipiat, his ad  
 “quos ea res pertinet, pro-  
 “curatoribusve eorum de-  
 “nunciet, ut mittant qui-  
 “bus præsentibus pariat.  
 “Mittantur mulieres liberæ  
 “duntaxat quinque:  
 “ita ut, præter obstetrices  
 “duas, in eo conclavi ne  
 “plures mulieres liberæ  
 “sint, quam decem, an-  
 “cillæ quam sex. Hæ, quæ  
 “intus futuræ erunt, excu-  
 “tiantur omnes in eo con-  
 “clavi, ne qua prægnans  
 “sit. Tria lumina, nè  
 “minus, ibi sint: scilicet,  
 “quia tenebræ ad subji-  
 “endum aptiores sunt.  
 “Quod natum erit, his ad  
 “quod ea res pertinet, pro-  
 “curatoribusve eorum, o-  
 “stendatur. Apud cum  
 “educatur, apud quem pa-  
 “rens iusserit. Si autem  
 “ne his parens iusserit, aut  
 “is, apud quem voluerit  
 “educari, curam non re-  
 “cipiet, apud quem edu-  
 “cetur, causa cognita con-  
 “stituat. Is, apud quem  
 “educabitur quod natum  
 “erit, quoad trium men-  
 “sium sit, bis in mense ex

“Women, to the number of five  
 “at most: and besides the Two  
 “Midwives, there must be no  
 “more Free-Women in the Bed-  
 “Chamber than Ten, nor more  
 “Servants than Six. All these,  
 “who enter within the Bed-  
 “Chamber, shall be visited in  
 “the Room, to see if any of  
 “them is with Child: nor must  
 “there be fewer than three  
 “Lights in the Room, because an  
 “Imposture may be more easily  
 “committed in the dark. That  
 “which is born, shall be shewed  
 “to those who are concerned,  
 “or to their Proxies, if they de-  
 “sire it. The Infant is to be  
 “kept by him, who is named by  
 “the Father for that Intent;  
 “but if he has left no Orders  
 “concerning it, or if he who  
 “was named by him, will not un-  
 “dertake it, the Pretor having  
 “examined the Matter, shall  
 “name the Person to whose keep-  
 “ing the Child is to be trusted:  
 “whose Name shall be published,  
 “and he shall be obliged to shew  
 “him, as he thinks fit, twice a  
 “Month, till he is three Months  
 “old; and after that, once a  
 “Month till he is six Months  
 “old, and once in two Months  
 “till he is a Year old; and from  
 “thence once in six Months till  
 “he can speak. But if any  
 “will not suffer their Belly to  
 “be visited, nor themselves

“ eo tempore ; quoad sex  
 “ mensium sit, semel in  
 “ mense ; à sex mensibus  
 “ quoad anniculus fiat, al-  
 “ ternis mensibus ; ab an-  
 “ niculo quoad fari possit,  
 “ semel in sex mensibus,  
 “ ubi volet, ostendat. Si  
 “ cui ventrem inspici cu-  
 “ stodirive, adesse partui  
 “ licitum non erit, factum-  
 “ que quid erit, quo minus  
 “ ea ita fiant, uti supra  
 “ comprehensum est. Ei,  
 “ quod natum erit, posses-  
 “ sionem causa cognita non  
 “ dabo ; sive quod natum  
 “ erit, ut supra cautum est,  
 “ inspici non licuerit. Quas  
 “ itaque actiones me daturum polliceor his, quibus ex  
 “ Edicto meo Bonorum possessio data sit eas, si mihi  
 “ iusta causa videbitur esse, ei non dabo.

§. 11. Quamvis sit mani-  
 festissimum Edictum Præ-  
 toris, attamen non est neg-  
 ligenda interpretatio ejus.

§. 12. Denunciare igitur  
 mulierem oportet his  
 scilicet, quorum interest  
 partum non edi, vel totam  
 habituris hereditatem, vel  
 partem ejus, sive ab inte-  
 stato, sive ex Testamento.

§. 13.

“ to be watched, nor admit of  
 “ Witnesses to their delivery,  
 “ or if any thing is done for  
 “ hindring the execution of  
 “ those things, that are hereby  
 “ provided ; when upon hear-  
 “ ing the Matter that is made  
 “ out, that which is born, is  
 “ not to be admitted to the  
 “ possession of the Estate, if it  
 “ be found that the Child has  
 “ not been visited according  
 “ to the former Regulations :  
 “ In which Case the Pretor pro-  
 “ mises to give over all Rights  
 “ and Titles to those others,  
 “ whom, according to his  
 “ Edict, he has put in possession,  
 “ and not to the Child that is  
 “ born, the Justice of the Cause  
 “ being first made out to him.

11. Although the Pretor's  
 Edict is very express, yet the  
 Explanation of it is not to be  
 passed over.

12. The Woman is bound to  
 intimate her being with Child, to  
 all those who are concerned in it,  
 and to all others to whom either  
 the whole Inheritance, or a part  
 of it belong ; whether by the suc-  
 cession in the course of Law, or  
 by the Will of the Dead.

Q 13. And

§. 13. Sed & si servus hæres institutus fuerit, si nemo natus sit: Aristo scribit, hic quoq; servo quamvis non omnia, quædam tamen circa partum custodiendum arbitrio Prætoris esse concedenda. Quam sententiam puto veram; publicè enim interest, partus non subjici: ut ordinum dignitas, familiarumq; salva sit. Ideoq; etiam servus iste, cum sit in spe constitutus successione, qualis qualis sit, debet audiri, rem & publicam & suam gerens.

§. 14. Denunciari oportet his, quos proxima spes successione contingit; ut puta primo gradu hæredi instituto; non etiam substituto: & si intestatus paterfamilias sit, his, qui primum locum ab intestato tenent: si vero plures sint simul successuri, omnibus denunciandum est.

§. 15. Quod autem Prætor ait, causa cognita se possessionem non daturum, vel actiones denegaturum, eo perti-

13. And even if a Slave is made Heir by the Will, there being no Child, Aristo writes, that the Pretor ought, according to his discretion, to give him "some, though not all, those privileges of watching over the Birth: in which I think he is in the right: For it is of Publick Concern, that there should be no supposititious Births: and that the Dignity of Families, and of the different Ranks of Men, be preserved entire. And that therefore even this Slave, who is put in the hope of the Succession, should be heard, how mean soever his Condition may be, since the Publick is concerned in that which he looks after, as well as he is, as to his own particular.

14. The Matter ought to be intimated to those who are the next in the Succession, but not to those who come after them in the Entail; but if the Father died without a Will, then it must be intimated to those who succeed immediately to the Defunct; and if there are many Heirs Portioners, it must be intimated to them all.

15. As for that Clause, in which the Pretor says, that upon the hearing of the Cause, he will not put the Child in Possession,

pertinet, ut si per rusticitatem aliquid fuerit omisum ex his, quæ Prætor servari voluit, non obsit partui. Quale est enim, si quid ex his, quæ leviter observanda Prætor edixit, non sit factum, partui denegari bonorum possessionem? Sed mos Regionis inspiciendus est, & secundum eum & observari ventrem, & partum, & infantem oportet.

session, and that he will not give him leave to sue for it: by this (of hearing the Cause.) is to be understood, that if by a clownish simplicity, some of those things have been neglected, that the Pretor has appointed to be observed, this must not turn to the prejudice of the Child: for what reason is there, that if any of those things have been omitted, which the Pretor has ordered to be slightly observed, that then the Possession of the Estate should be denied to the Child? But a regard is to be had to the Custom of the Country: and according to that, both the Big-Belly, the Birth, and the Child, are to be visited and watched over.

It seems that the *Abuse* provided against by this Law, was known among the *Athenians*; for it is set forth among their other Disorders by *Aristophanes*, in the following words.

*Aristophanes* in his *TheSmophorion* saith.

“ I knew another Woman, who said that she was in Labour,  
 “ and pretended to have had her Pains for the space of ten  
 “ days, till she had bought a Child, mean while the Husband  
 “ was running about to all places, buying those Remedies that  
 “ hastened Labour. But an old Woman brought in a Pot a Child  
 “ to her, the Mouth of which she had shut up carefully with  
 “ Wax, that so it might not cry out; and as soon as she had  
 “ made a Sign to the Woman, intimating what she had brought  
 “ to her, she that pretended to be in Labour, cried out to  
 “ her Husband, *Get you gone, get you gone, Husband; for I*  
 “ *am now upon the point to be brought to Bed, and I feel the*  
 “ *Child kicking with his Heels ready to break out.* Upon this he

“ in great Joy withdrew, and presently the old Woman pluck'd  
 “ out of the Child's Mouth that Wax with which she had  
 “ stopped it: upon which that curfed Woman that had  
 “ brought in the Child ran out with great Joy to the Husband,  
 “ and faid, You have a Son born that looks like a Lion, like a  
 “ Lion; and that is your very Image in all things.—— What  
 follows is too immodest to be translated.

Concerning the Interpretation of Laws, and that they ought to be expounded not strictly by the Words or Cafes put in them, but by the Equity and Reason of them, *Cicero* writes thus, *lib. 2. de Inventione*.

*Causæ & rationes afferentur, quare & quo consilio, sit ita in lege: ut sententia & voluntate scriptoris, non ipsa solum Scripturæ causa, confirmatum esse videatur.—— Legis scriptorem, certo ex ordine, Judices certa ætate præditos, constituisse; ut essent non qui scriptum suum recitarent, quod quisvis puer facere posset, sed qui cogitationem assequi possent, & voluntatem interpretari.—— Nullam rem neque legibus, neque scriptura ulla, denique ne in sermone quidem quotidiano atque imperiis domesticis, rectè posse administrari; si unusquisque vestit*

*Let the Grounds and Reasons be shewed, that it may appear upon what Design the Law was so and so made: that so it may appear what is enacted, not only from the Words of the Law, but from the Will and Design of the Law-giver.——The Law-givers have ordained Judges to be chosen out of a certain Rank of Men, and of a determined Age, that so there might be Persons appointed, who should not only repeat the Letter of the Law, which any Child may do, but should be able to find out the Design of the Law-giver, and explain it according to his Will.——If one will only have regard to the Words, and not to the Mind of him that uttered them, it will not be possible to order Matters aright, neither by Law, nor by any sort of Writing, nor indeed by any sort of Discourse:*  
*And*



velit verba spectare, & non ad voluntatem ejus qui verba habuerit accedere. Judex is videtur legi obtemperare, qui sententiam ejus non qui Scripturam sequatur. — Leges in consilio scriptoris, & utilitate communi, non in verbis consistere. — Idcirco de hac re nihil esse scriptum, quod cum de illa esset scriptum, de hac is qui scribebat, dubitaturum neminem judicabat. Postea multis in legibus, multa esse præterita, quæ idcirco præterita nemo arbitretur, quod ex cæteris de quibus scriptum fit, intelligi possint.

*And this will appear in the whole Business of the World, and even in Domestick Matters. — That Judge obeys the Law more, who pursues the Design of it, than he who has regard only to the Words of it. Laws consist not in the Words in which they are conceived, but in the Intent of the Makers of them; and are to be explained by the Good of the Publick for which they are made. Nothing is specified in the Law concerning such a Case, because the Law-giver, who mentioned another Case in the Law, could not but conclude, that the one being expressed, no Body could doubt of the other. For after all, there are many Cases that seem to be omitted in many Laws, which yet we ought not to think omitted, because we may easily see what we ought to think of them from those Cases that are mentioned in the Law.*

*The greatest part of his Oration for Cæcina, is to the same purpose, and among many others these words are remarkable.*

Cum voluntas, & consilium, & sententia interdicti, intelligatur, impudentiam summam, aut stultitiam singularem putabimus

*When we once comprehend the Reasons, the Design and the Intent of a Law, it is either great Impudence, or great Folly, to let our selves be misled by any Ambiguity in the words: for this is*  
not

tabimus in verborum errore versari, rem & causam & utilitatem communem non relinquere solum, sed etiam proderet. — Juris igitur retineri sententiam, & equitatem plurimum valere, oportere, an verbo ac litera jus omne torqueri, vos statuete utrum utilius esse videatur?

not only to forsake, but to betray the true Ends of the Law, and the Good of the Publick.—

Do you therefore, that are the Judges, consider which is best? Whether the Design of the Law ought to be observed, and to be explained according to Equity? or whether Justice it self ought to be perverted, by adhering to the Words and Letter of the Law?

A N

# E N Q U I R Y

Into the Measures of

## S U B M I S S I O N

T O T H E

### S U P R E A M A U T H O R I T Y :

*And of the Grounds upon which it may be lawful or necessary for Subjects to defend their Religion, Lives, and Liberties.*

**T**His *Enquiry* cannot be regularly made, but by taking in the first place, a true and full view of the nature of *Civil Society*, and more particularly of the nature of *Supream Power*, whether it is lodged in one or more Persons?

I. It is certain, That the *Law of Nature* has put no difference nor subordination among Men, except it be that of *Children to Parents*; or of *Wives to their Husbands*; so that with Relation to the Law of Nature, all Men are born free; and this Liberty must still be supposed entire, unless so far as it is limited by Contracts, Provisions, or Laws. For a Man can either bind himself to be a Servant, or sell himself to be a Slave, by which he becomes in the power of another, only so far as it was provided by the Contract: since all that Liberty which was not expressly given away, remains still entire: so that the Plea for Liberty always proves it self, unless it appears that it is given up or limited by any special Agreement.

II. It

II. It is no less certain, that as the Light of Nature has planted in all Men a Natural Principle of the love of Life, and of a desire to preserve it; so the common Principles of all Religion agree in this, that God having set us in this World, we are bound to preserve that Being, which he has given us, by all just and lawful ways. Now this Duty of Self-preservation is exerted in Instances of two sorts; the one are, in the resisting of violent Aggressors; the other are the taking of just Revenges of those, who have invaded us so secretly, that we could not prevent them, and so violently that we could not resist them: In which cases the Principle of self-Preservation warrants us, both to recover what is our own, with just Damages, and also to put such unjust Persons out of a Capacity of doing the like Injuries any more, either to our selves, or to any others. Now in these two Instances of Self-Preservation, this difference is to be observed; that the first cannot be limited by any slow Forms, since a pressing Danger requires a vigorous Repulse, and cannot admit of Delays; whereas the second, of taking Revenges, or Reparations, is not of such haste, but that it may be brought under Rules and Forms.

III. The true and Original Notion of *Civil Society and Government*, is, that it is a Compromise made by such a Body of Men, by which they resign up the Right of demanding Reparations, either in the way of Justice against one another, or in the way of War, against their Neighbours; to such a single Person, or to such a Body of Men as they think fit to trust with this. And in the management of this *Civil Society*, great distinction is to be made, between the Power of making Laws for the regulating the Conduct of it, and the Power of executing those Laws: The *Supream Authority* must still be supposed to be lodged with those who have the *Legislative Power* reserved to them, but not with those who have only the *Executive*; which is plainly a *Trust*, when it is separated from the *Legislative Power*; and all *Trusts*, by their nature import, that those to whom they are given, are accountable, even though that it should not be expressly specified in the words of the *Trust* it self.

IV. It cannot be supposed, by the Principles of Natural Religion, that God has authorised any one *Form of Government*,

ment, any other way than as the general Rules of Order, and of Justice, oblige all Men not to subvert Constitutions, nor disturb the Peace of Mankind, or invade those Rights with which the Law may have vested some Persons: for it is certain, that as private Contracts lodg or tranlate private Rights; so the *Publick Laws* can likewise lodg such Rights, Prerogatives and Revenues in those under whose Protection they put themselves, and in such a manner, that they may come to have as good a Title to these, as any private Person can have to his Property: so that it becomes an Act of high Injustice and Violence to invade these: which is so far a greater Sin than any such Actions would be against a private Person, as the publick Peace and Order is preferable to all private Considerations whatsoever. So that in Truth, the Principles of *Natural Religion*, give those that are in Authority no Power at all, but they do only secure them in the Possession of that which is theirs by Law. And as no Considerations of Religion can bind me to pay another more than I indeed owe him, but do only bind me more strictly to pay what I owe; so the Considerations of Religion do indeed bring *Subjects* under stricter Obligations to pay all due Allegiance and Submission to their *Princes*, but they do not at all extend that Allegiance further than the Law carries it. And though a Man has no Divine Right to his Property, but has acquired it by human means, such as Succession, or Industry; yet he has a Security for the Enjoyment of it from a Divine Right: so tho *Princes* have no immediate Warrants from Heaven, either for their Original Titles, or for the extent of them, yet they are secured in the Possession of them by the Principles and Rules of *Natural Religion*.

V. It is to be considered, that as a private Person can bind himself to another Man's Service, by different degrees, either as an ordinary Servant for Wages, or as one appropriate for a longer time, as an Apprentice; or by a total giving himself up to another, as in the case of Slavery: in all which cases the general Name of *Master* may be equally used, yet the degrees of his Power, are to be judged by the nature of the Contract: so likewise Bodies of Men can give themselves up in different degrees to the Conduct of others: and therefore

though all those may carry the same Name of *King*, yet every ones Power is to be taken from the measures of that Authority which is lodged in him, and not from any general Speculations founded on some Equivocal Terms, such as *King*, *Sovereign*, or *Supream*.

VI. It is certain, that God, as the Creator and Governour of the World, may set up whom he will to rule over other Men: But this Declaration of his Will must be made evident by Prophets, or other extraordinary Men sent of him, who have some manifest Proofs of the Divine Authority that is committed to them on such occasions, and upon such Persons declaring the Will of God in favour of any others, that Declaration is to be submitted to and obeyed. But this pretence of a Divine Delegation, can be carried no further than to those who are thus expressly marked out, and is unjustly claimed by those who can prove no such Declaration to have been ever made in favour of them, or their Families. Nor does it appear reasonable to conclude from their being in Possession, that it is the Will of God that it should be so, this justifies all Ufurpers when they are successful.

VII. The measures of *Power*, and by consequence of *Obedience*, must be taken from the express Laws of any State or Body of Men, from the Oaths that they swear, or from immemorial Prescription, and a long Possession, which both give a Title, and in a long Tract of Time make a bad one become good, since Prescription, when it passes the Memory of Man, and is not disputed by any other Pretender, gives by the common Sense of all Men a just and good Title: so upon the whole matter, the degrees of all Civil Authority are to be taken either from express Laws, immemorial Customs, or from particular Oaths, which the Subjects swear to their Princes: this being still to be laid down for a Principle, that in all the Disputes between *Power* and *Liberty*, *Power* must always be proved, but *Liberty* proves it self; the one being founded only upon a Positive Law, and the other upon the Law of Nature.

VIII. If from the general Principles of Human Society, and Natural Religion, we carry this matter to be examined by the Scriptures, it is clear that all the Passages that are in the Old Testament, are not to be made use of in this matter of nei-

ther side. For as the Land of *Canaan* was given to the *Jews* by an immediate Grant from Heaven; so God reserved still this to himself, and to the Declarations that he should make from time to time, either by his Prophets, or by the Answers that came from the Cloud of Glory that was between the Cherubims, to set up Judges or Kings over them, and to pull them down again as he thought fit. Here was an express Delegation made by God, and therefore all that was done in that Dispensation, either for or against Princes, is not to be made use of in any other State that is founded on another Bottom and Constitution, and all the Expressions in the Old Testament relating to *Kings*, since they belong to Persons that were immediately designed by God, are without any sort of Reason applied to those who can pretend to no such Designation, neither for themselves, nor for their Ancestors.

IX. As for the New Testament, it is plain, that there are no Rules given in it, neither for the *Forms of Government* in general, nor for the degrees of any one Form in particular, but the general Rules of Justice, Order and Peace, being established in it upon higher Motives, and more binding Considerations, than ever they were in any other Religion whatsoever, we are most strictly bound by it to observe the Constitution in which we are; and it is plain, that the Rules set us in the Gospel can be carried no further. It is indeed clear from the New Testament, that the Christian Religion as such, gives us no grounds to defend or propagate it by force. It is a Doctrine of the Cross, and of Faith, and Patience under it: And if by the order of Divine Providence, and of any Constitution of Government, under which we are born, we are brought under Sufferings for our professing of it, we may indeed retire and fly out of any such Country if we can; but if that is denied us, we must then, according to this Religion, submit to those Sufferings under which we may be brought, considering that God will be glorified by us in so doing, and that he will both support us under our Suffering, and gloriously reward us for them.

This was the State of the *Christian Religion*, during the three first *Centuries*, under Heathen *Emperors*, and a Constitution in which *Paganism* was establish'd by Law. But if by the

Laws of any Government, the *Christian Religion*, or any Form of it, is become a part of the Subjects *Property*, it then falls under another Consideration; not as it is a *Religion*, but as it is become one of the principal Rights of the Subjects to believe and profess it: and then we must judg of the Invasions made on that, as we do of any other Invasion that is made on our other *Rights*.

X. All the Passages in the *New Testament* that relate to *Civil Government*, are to be expounded as they were truly meant, in opposition to that false Notion of the *Jews*, who believed themselves to be so immediately under the Divine Authority, that they could not become the Subjects of any other Power, particularly of one that was not of their Nation, or of their Religion; therefore they thought they could not be under the *Roman Yoke*, nor bound to pay Tribute to *Cesar*, but judged that they were only subject out of *Fear*, by reason of the Force that lay on them, but not for *Conscience sake*: And so in all their Dispersion, both at *Rome* and elsewhere, they thought they were *God's Freemen*, and made use of this pretended *Liberty as a Cloak of Maliciousness*. In opposition to all which, since in a course of many Years, they had asked the Protection of the *Roman Yoke*, and were come under their Authority, our Saviour ordered them to continue in that, by his saying, *Render to Cesar that which is Cesar's*; and both *St. Paul* in his Epistle to the *Romans*, and *St. Peter* in his general Epistle, have very positively condemned that pernicious Maxim, but without any formal Declarations made of the Rules or Measures of *Government*. And since both the *People* and *Senate* of *Rome* had acknowledged the Power that *Augustus* had indeed violently usurped, it became Legal when it was thus submitted to, and confirmed both by the *Senate* and *People*: and it was established in his Family by a long Prescription, when those *Epistles* were writ: So that upon the whole matter, all that is in the *New Testament* upon this Subject, imports no more, but that *all Christians* are bound to acquiesce in the *Government*, and submit to it, according to the Constitution that is settled by *Law*.

XI. We are then at last brought to the Constitution of our *English Government*: So that no general Considerations from Speculations about Sovereign Power, nor from any Passages, either of the *Old* and *New Testament*, ought to determine us



in this Matter ; which must be fixed from the Laws and Regulations that have been made among us. It is then certain, that with Relation to the Executive part of the Government, the Law has lodged that singly in the King ; so that the whole Administration of it is in him ; but the Legislative Power is lodged between the King and the two Houses of Parliament ; so that the Power of making and repealing Laws, is not singly in the King, but only so far as the two Houses concur with him. It is also clear, that the King has such a determined extent of Prerogative, beyond which he has no Authority : As for Instance, If he levies Money of his People, without a Law empowering him to it, he goes beyond the Limits of his Power, and asks that to which he has no Right : So that there lies no Obligation on the Subject to grant it ; and if any in his Name use Violence for the obtaining it, they are to be looked on as so many Robbers, that invade our Property ; and they being violent Aggressors, the Principle of Self-Preservation seems here to take place, and to warrant as violent a Resistance.

XII. There is nothing more evident, than that *England* is a Free Nation, that has its Liberties and Properties reserved to it by many positive and express Laws : If then we have a Right to our Property, we must likewise be supposed to have a Right to preserve it : for those Rights are by the Law secured against the Invasions of the Prerogative, and by consequence we must have a Right to preserve them against those Invasions. It is also evidently declared by our Law, that all Orders and Warrants that are issued out in opposition to them, are null of themselves ; and by consequence, any that pretend to have Commissions from the King for those Ends, are to be considered as if they had none at all ; since those Commissions being void of themselves, are indeed no Commissions in the Construction of the Law ; and therefore those who act in virtue of them, are still to be considered as private Persons who come to invade and disturb us. It is also to be observed, that there are some Points that are justly disputable and doubtful, and others that are so manifest, that it is plain that any Objections that can be made to them, are rather forced Pretences, than so much as plausible Colours. It is true, if the Case is doubtful, the Interest of the publick Peace and Order ought to carry it ; but the Case

is quite different, when the Invasions that are made upon *Liberty* and *Property*, are plain and visible to all that consider them.

XIII. The main and great Difficulty here, is, that though our Government does indeed assert the *Liberty of the Subject*, yet there are many express Laws made, that lodg the *Militia* singly in the King, that make it plainly unlawful, upon any Pretence whatsoever, to take Arms against the King, or any Commissioned by him: And these Laws have been put in the Form of an Oath, which all that have born any Employment, either in Church or State, have sworn; and therefore those Laws for the assuring our *Liberties*, do indeed bind the King's Conscience, and may affect his Ministers; yet since it is a Maxime of our Law, that the *King can do no Wrong*, these cannot be carried so far as to justify our taking Arms against him, be the Transgressions of Laws ever so many and so manifest. And since this has been the constant Doctrine of the Church of *England*, it will be a very heavy Imputation on us, if it appears, that though we held those Opinions, as long as the Court and Crown have favoured us, yet as soon as the Court turns against us, we change our Principles.

XIV. Here is the true Difficulty of this whole Matter, and therefore it ought to be exactly considered: 1. All general Words how large soever, are still supposed to have a tacit Exception and Reserve in them, if the Matter seems to require it. Children are commanded to obey their Parents in *all things*: Wives are declared by the Scripture, to be subject to their Husband in *all things*, as the Church is unto Christ: And yet how comprehensive soever these words may seem to be, there is still a Reserve to be understood in them; and though by our Form of Marriage, the Parties swear to one another till *Death them do part*, yet few doubt but that this Bond is dissolved by Adultery, though it is not named: for odious things ought not to be suspected, and therefore not named upon such occasions: But when they fall out, they carry still their own force with them. 2. When there seems to be a Contradiction between two Articles in the Constitution, we ought to examine which of the two is the most Evident, and the most Important, and so we ought to fix upon it, and then we must give such an accommodating sense to that which seems to contradict it, that

so we may reconcile those together. Here then are two seeming Contradictions in our Constitution; The one is the Publick Liberty of the Nation; the other is the renouncing of all Resistance, in case that were invaded. It is plain, that our Liberty is only a thing that we enjoy at the King's Discretion, and during his Pleasure, if the other against all Resistance is to be understood according to the utmost Extent of the Words. Therefore since the chief Design of our whole Law, and of all the several Rules of our Constitution, is to secure and maintain our Liberty, we ought to lay that down for a Conclusion, that it is both the most plain, and the most important of the two. And therefore the other Article against *Resistance* ought to be so softned, as that it do not destroy us.

3. Since it is by a Law that Resistance is condemned, we ought to understand it in such a sense, as that it does not destroy all other Laws: And therefore the intent of this *Law* must only relate to the *Executive* Power, which is in the King, and not to the *Legislative*, in which we cannot suppose that our Legislators, who made that *Law*, intended to give up that, which we plainly see they resolved still to preserve entire, according to the Ancient Constitution. So then, the not resisting the King, can only be applied to the *Executive* Power, that so upon no pretence of ill Administrations in the Execution of the Law, it should be lawful to resist him; but this cannot with any reason be extended to an Invasion of the *Legislative* Power, or to a total Subversion of the Government. For it being plain, that the *Law* did not design to lodg that Power in the King; it is also plain, that it did not intend to secure him in it, in case he should set about it.

4. The *Law* mentioning the King, or those Commissioned by him, shews plainly, that it only designed to secure the King in the Executive Power: for the word Commission necessarily imports this, since if it is not according to *Law*, it is no Commission; and by consequence, those who act in virtue of it, are not Commissionated by the King in the Sense of the *Law*. The King likewise imports a Prince clothed by *Law* with the Regal Prerogative; but if he goes to subvert the whole Foundation of the Government, he subverts that by which he himself has his Power, and by consequence he annuls his own Power; and then he ceases

ceases to be *King*, having endeavoured to destroy that upon which his own Authority is founded.

XV. It is acknowledged by the greatest Assertors of Monarchical Power, that in some Cases a *King* may fall from his Power, and in other Cases that he may fall from the Exercise of it. His Deserting his People, his going about to enslave, or sell them to any other; or a furious going about to destroy them, are in the opinion of the most Monarchical Lawyers, such Abuses, that they naturally divest those that are guilty of them, of their whole Authority. *Infancy* or *Phrenzy* do also put them under the Guardianship of others. All the Crowned Heads of *Europe* have, at least secretly, approved of the putting the late *King of Portugal* under a Guardianship, and the keeping him still a Prisoner, for a few Acts of Rage, that had been fatal to a very few Persons: And even our Court gave the first countenance to it, though of all others the late *King* had the least reason to have done it, at least last of all, since it justified a younger Brother's supplanting the Elder; yet the Evidence of the Thing carried it even against Interest. Therefore if a *King* goes about to subvert the Government, and to overturn the whole Constitution, he by this must be supposed, either to fall from his Power, or at least from the Exercise of it, so far as that he ought to be put under Guardians; and according to the Case of *Portugal*, the next Heir falls naturally to be the Guardian.

XVI. The next Thing to be considered, is to see in Fact, whether the Foundations of this *Government* have been struck at, and whether those Errors that have been perhaps committed, are only such Malversations as ought to be imputed only to humane Frailty, and to the Ignorance, Inadvertencies, or Passions to which all Princes may be subject, as well as other Men. But this will best appear, if we consider what are the Fundamental Points of our Government, and the chief Securities that we have for our Liberties.

The Authority of the Law is indeed all in one word, so that if the *King* pretends to a Power to dispense with Laws, there is nothing left upon which the Subject can depend; and yet as if the Dispensing Power were not enough, if Laws are wholly suspended for all Time coming, this is plainly a repealing of them, when likewise the Men, in whose Hands the Administration

tion of Justice is put by Law, such as Judges and Sheriffs are allowed to tread all Laws under-foot, even those that infer an Incapacity on themselves if they violate them: this is such a breaking of the whole Constitution, that we can no more have the Administration of Justice, so that it is really a Dissolution of the Government; since all Trials, Sentences, and the Executions of them are become so many unlawful Acts, that are null and void of themselves.

The next Thing in our Constitution, which secures to us our *Laws* and *Liberties*, is a *Free* and *Lawful Parliament*. Now, not to mention the breach of the *Law of Triennial Parliaments*, it being above three Years since we had a Session that enacted any Law; Methods have been taken, and are daily a taking, that render this impossible. *Parliaments* ought to be chosen with an entire Liberty, and without either Force or Preingagements: whereas if all Men are required before-hand to enter into Engagements, how they will vote if they are chosen themselves? or how they will give their Voices in the electing of others? This is plainly such a preparation to a *Parliament*, as would indeed make it no *Parliament*, but a *Cabal*, if one were chosen after all that Corruption of Persons who had preingaged themselves, and after the Threatening and Turning out of all Persons out of Employments who had refused to do it: And if there are such daily Regulations made in the Towns, that it is plain those who manage them, intend at last to put such a number of Men in the Corporations, as will certainly choose the Persons who are recommended to them. But above all, if there are such a number of Sheriffs and Mayors made over *England*, by whom the Elections must be conducted and returned, who are now under an Incapacity by Law, and so are no legal Officers, and by consequence those Elections that pass under their Authority are null and void: If, I say, it is clear that things are brought to this, then the Government is dissolved, because it is impossible to have a *Free and Legal Parliament* in this state of things. If then both the Authority of the *Law*, and the Constitution of the *Parliament* are struck at and dissolved, here is a plain Subversion of the whole Government. But if we enter next into the particular Branches of the Government, we will find the like Disorder among them all.

The Protestant Religion, and the Church of *England* make a great Article of our Government, the latter being secured, not only of old by *Magna Charta*, but by many special *Laws* made of late; and there are particular *Laws* made in *K. Charles* the First, and the late King's Time, securing them from all Commissions that the King can raise for Judging or Censuring them. If then in opposition to this, a Court so condemned is erected, which proceeds to judge and censure the Clergy, and even to dispossess them of their Free-holds, without so much as the form of a Trial, though this is the most indispensable *Law* of all those that secure the Property of *England*; and if the King pretends that he can require the Clergy to publish all his Arbitrary Declarations, and in particular one that strikes at their whole Settlement, and has ordered Process to be begun against all that disobey'd this illegal Warrant; and has treated so great a number of the Bishops as Criminals, only for representing to him the Reasons of their not obeying him. If likewise the King is not satisfied to profess his own Religion openly, though even that is contrary to *Law*, but has sent Ambassadors to *Rome*, and received Nuncios from thence, which is plainly Treason by *Law*; If likewise many Popish Churches and Chappels have been publickly opened; if several Colledges of Jesuits have been set up in divers parts of the Nation, and one of the Order has been made a Privy Counsellor, and a principal Minister of State: And if Papists, and even those who turn to that Religion, though declared Traitors by *Law*, are brought into all the chief Employments, both Military and Civil; then it is plain, That all the Rights of the Church of *England*, and the whole Establishment of the Protestant Religion are struck at, and design'd to be overturn'd; since all these Things, as they are notoriously illegal, so they evidently demonstrate, That the great Design of them all, is the rooting out of this Pestilent Heresy, in their Stile, I mean, the Protestant Religion.

In the next place, If in the whole course of Justice, it is visible that there is a constant practising upon the Judges, that they are turned out upon their varying from the Intentions of the Court; and if Men of no Reputation nor Abilities are put in their places; If an Army is kept up in time of Peace, and Men who withdraw from that illegal Service, are hanged up as

Criminals,

Criminals, without any colour of Law, which by consequence are so many Murders; and if the Souldiery are conniv'd at and encouraged in the most enormous Crimes, that so they may be thereby prepared to commit greater ones, and from single Rapes and Murders proceed to a Rape upon all our Liberties, and a Destruction of the Nation: If, I say, all these things are true in Fact; then it is plain, that there is such a Dissolution of the Government made, that there is not any one part of it left sound and entire: And if all these things are done now, it is easy to imagine what may be expected, when Arbitrary Power, that spares to Man, and Popery that spares no Heretick, are finally established: Then we may look for nothing but Gabelles, Tailles, Impositions, Benevolences, and all sorts of Illegal Taxes; as from the other we may expect Burning, Massacres, and Inquisitions. In what is doing in *Scotland*, we may gather what is to be expected in *England*; where if the King has over and over again declared, that he is vested with an Absolute Power, to which all are bound to obey without reserve, and has upon that annulled almost all the Acts of Parliament that passed in K. *James I.* Minority, though they were ratified by himself when he came to be of Age, and were confirmed by all the subsequent Kings, not excepting the present. We must then conclude from thence, what is resolved on here in *England*, and what will be put in Execution as soon as it is thought that the Times can bear it. When likewise the whole Settlement of *Ireland* is shaken, and the Army that was raised, and is maintained by Taxes that were given for an Army of *English* Protestants, to secure them from a new Massacre by the *Irish* Papists, is now all filled with *Irish* Papists, as well as almost all the other Employments; it is plain, that not only all the *British* Protestants inhabiting that Island, are in daily danger of being butchered a second time, but that the Crown of *England* is in danger of losing that Island, it being now put wholly into the Hands and Power of the Native *Irish*, who as they formerly offered themselves up sometimes to the Crown of *Spain*, sometimes to the Pope, and once to the Duke of *Lorraine*, so are they perhaps at this present treating with another Court for the Sale and Surrender of the Island, and for the Massacre of the English in it.

If thus all the several Branches of our Constitution are dissolved, it might be at least expected that one part should be left entire, and that is the *Regal Dignity*. And yet even that is prostituted, when we see a *young Child* put in the Reverion of it, and pretended to be the *Prince of Wales*: concerning whose being born of the *Queen*, there appear to be not only no certain Proofs, but there are all the Presumptions that can possibly be imagined to the contrary. No Proofs were ever given, either to the Princess of *Denmark*, or to any other Protestant Ladies, in whom we ought to repose any Confidence, that the *Queen* was ever with Child; that whole Matter being managed with so much Mysteriousness, that there were violent and publick Suspicions of it before the Birth. But the whole Contrivance of the Birth, the sending away the Princess of *Denmark*, the sudden shortning of the *Reckoning*, the *Queen's* sudden going to *St. James's*, her no less sudden pretended Delivery; the hurrying the Child into another Room without shewing it to those present, and without their hearing it cry; and the mysterious Conduct of all since that time; no Satisfaction being given to the Princess of *Denmark* upon her Return from the *Bath*, nor to any other Protestant Ladies, of the *Queen's* having been really brought to Bed. These are all such evident Indications of a base Imposture in this Matter, that as the Nation has the justest Reason in the World to doubt of it, so they have all possible Reason to be at no quiet till they see a Legal and Free Parliament assembled, which may impartially, and without either Fear or Corruption, examine that whole Matter.

If all these Matters are true in Fact, then I suppose no Man will doubt, that the whole Foundations of this Government, and all the most sacred Parts of it, are overturned. And as to the Truth of all these Suppositions, that is left to every *English-man's* Judgment and Sense.



A

REVIEW of the REFLECTIONS  
ON THE  
Prince of ORANGE'S  
DECLARATION.

1. **T**HE Prince's unwillingness to charge the Government with any thing but what was evident and undeniable, affords the Reflection with which this Paper begins: That all the noise of a secret League with *France* has been only a feigned Danger, and a false Fear, since it is not so much as mentioned in the Prince's Declaration. It is certain, that the *French* Ambassador asserted it in a publick Audience, and in a Memorial given in to the States General at the *Hague*; and all the World has clearly seen through the Grimace that the Court of *England* made upon it to Mr. *Skelton*; for it is not to be supposed, that the Court of *France* would have published this Alliance, unless it had been made, or that they would have made it, unless they had seen full Powers for it in Mr. *Skelton*'s hands. But after all, as the Articles of it are secret, so the Court of *England* having disown'd it, the Prince's exactness in not mentioning a doubtful thing, deserved rather a Reflection in his Favour.

2. The Reflector is offended at the Prince's using the Stile of We and Us, for it seems *Thou* and *Thee* are so dear to him, that he cannot hear any thing out of that Cant. But though by the Connivance of our Court, *France* has robb'd the Prince of his Principality, yet the Rights and Dignity of a Sovereign Prince remain still with him, which will justify his speaking in the plural number: And the other terms of Authority that  
are

are in his Declaration, being the usual Stile of all that command Armies, his using them imports no more, than that he is resolved to use Force for the restoring of our Liberty; and if the Stile is a little high, it is their fault who would not hearken to softer and humbler Representations, and that had made it a Crime so much as to Petition.

3. There is nothing works more on weak People, than the fastning an ill Name even on the best Actions, and therefore *Invasion* being a Term that naturally gives Horror, the Reflector fastens that upon the Prince's Attempt to save the Nation; but things appear now too broad to be disguised, and therefore the wise and worthy part of the Nation esteems that to be a *Deliverance*, which is here called an *Invasion*. It is true, the Prince promises to send back his Forces, which imports, that he intends to stay behind; for he having engaged to see a Free Parliament called and assembled, must stay after his Army is sent away, since no Parliament can be chosen with Freedom, while the Nation is over-awed by a Military Power; but when that is laid down of all hands, then the Prince will be obliged to see the Promise that he has made to the Nation for a Free Parliament executed. So that all the malicious Insinuations of his aspiring to be King, which return so often in the Reflections, are thrown out only to create an unjust Jealousie of His Highness's Intentions.

4. The Security which the Reflector promises to the Nation, and the Religion, by the Concurrence of Protestants to save the Court, is now a little too late, the same Cheat will hardly pass twice. This had once a great effect in bringing the Nation off from the design of the Exclusion, and Men in the simplicity of their Heart believed it. But the Court has taken so much pains to convince them of their Error, and has succeeded so effectually in it, that it is too great an imposing upon us, to fancy that we can be so soon deluded again in the same manner. We know now, by sad experience, what all the Promises and Oaths that a Papist can make to Protestants do signify; and we see how little is to be built even on the Honour of a Prince, when a Jesuit has the keeping of his Conscience. Nor can it be any Reproach on our Religion, if the Nation comes under the Protection of a Prince that has

so

so near an Interest in the Succession to the Crown, to preserve it self and the Establish'd Religion from the Conspiracies of those who intend to destroy both, and had made a great way in it, and would have probably brought their Designs to a full Ripeness this Winter, if the Prince's coming had not check'd them. The Reflector thinks the Prince ought to have turned his Arms rather on *France*, and allows that he has a just Right to do it. But *England* had a greater Title to his Protection, and ought to have been first taken care of by him, and when that is once done, the Proposition here made, with relation to *France*, may be more seasonable.

5. Great Exceptions are taken, because the Prince finds the Invasions that are made on the Protestant Religion, on this, that it is the Religion establish'd by Law; since our Reflector tells us, that it is the Truth and not the Legality of a Religion that is its Warrant; and that otherwise Paganism and Judaism had been still the Establish'd Religion. But the Reflector confounds things of different Natures. If we consider Religion, as it gives us a Title to the Favour of God, and to Eternal Happiness, we ought to have no regard but to the Truth of it. But when Religion is considered as the first of all Civil Rights, then the Legal Establishment is the Foundation of its Title: And if Legislators had not changed Laws, Paganism had been still the Legal Religion, notwithstanding its falshood; and though the Truth of the Christian Religion is the only ground upon which we believe it, yet it must become Legal as well as it is true, before we can claim the Protection of the Law and the Government that has secured it to us; so that to fight against Popery, where that is the Establish'd Religion, is as certainly a Sin, as it is a Debt that we owe our Religion and Country, to fight for the Protestant Religion, when the Law is for it, and illegal Violence is employ'd to pull it down.

6. The Reflector's Common-place-stuff, with relation to the Dispensing Power, has been so oft expos'd, that it scarce deserves a Review. The Obligation of all Laws depends on the force of the Penalties against Transgressors; so that the Dispensing with Penal Laws, carries in it the Dispensing with all Laws whatsoever; and by this Doctrine, the whole Frame and Security of our Government is at the King's Discretion:

Nor

Nor will that distinction of *malum in se*, and *malum prohibitum* save the matter, unless all the World were agreed upon the point, What things are evil of themselves, and what not. In the sense of a Papist, all the Laws against their Religion are so far from being Obligatory of their own Nature, that they are impious Attempts upon that Authority which they think infallible. Therefore all the distinction that is offered to save us from the exorbitancy of this Dispensing Power, as if it could not reach to things that are evil of themselves, is of no force, unless a measure were laid down, in which both Protestants and Papists were agreed concerning things that are good or evil of themselves. For instance, Murder is allowed by all to be evil of it self; yet if the Extirpation of Hereticks is a Duty incumbent on a Catholick King, as we are sure it is, then a Commission given to destroy us, would be a justifiable Action; and so the Laws against Murder and Manslaughter might in that case be dispensed with, since the killing of Hereticks is by the Doctrine of Papists only *Malum prohibitum*, and not *malum in se*.

7. Our Author might have spar'd his Rhetorick how well soever he loads it upon the Head of Persecution and Liberty of Conscience, if it had been but for this Reason, that it discover'd too plainly who it was that wrote these Reflections, which perhaps he may have e're long some Reasons to wish it were not so well known, as he has taken pains to do by his luxuriant Stile. All that can be said on this Head, belongs very pertinently to the Consideration of a Parliament, but is very improperly urged in favour of the bloodiest of all Persecutors, who could not begin their breaking in upon our Laws and our Religion more dextrously than at this of Liberty of Conscience, tho' they themselves had been the Authors of all the Severities that had been acted among us, and intended by this shew of Ease to bring us under all the Cruelties of an Inquisition, which is one of the inseparable Perquisites of that bloody Religion.

8. The greatest part of the Invasions made on our Government, that are set forth in the Prince's Declaration, are acknowledged to be such by our Reflector: But he thinks they are now redressed. The High Commission is at an end; *Mag-*  
*dalen*

*dalen* Colledge is restor'd. If the King had of his own motion, and from a sense of the justice of the thing, done all this while he apprehended no danger, and if he had brought the Authors of those Pernicious Councils to condign Punishment, then it had been more reasonable to value those Acts of Justice, by which the former Violences had been in some measure repaired : but what is done in the present Circumstances, shews only a meanness of Spirit, and a feebleness in the Government : And some Mens Tempers are too well known, to suffer us once to doubt of their returning back to all their former Violences, and of their carrying them on to greater Excesses ; if God for the sins of the Nation, should blast this Glorious Undertaking. And if the Charters are now restor'd, we know by the Proceedings of the late Regulators of Corporations, that it was far from their thoughts but a little while ago ; so that this is likewise an effect of the present Fear they are under ; and it shews that after all their Huffings during their Prosperity, they sink under Dangers as much as others, whose Memory they are so careful to blemish, how much soever they are beholden to them. It is here said, that most of the Charters were taken away in the late King's time : But as it is well known under whose Influence the last years of the late Reign were conducted, so the limiting the Elections to a speical number, contrary to Custom and Prescription, was the Invention of the present Reign.

9. But if the Reflector will not justify every thing that the Government has done, and thinks the present state of things could hardly bear so gross an Abuse ; yet he insists often upon this, that these Illegal things were fit for the Consideration and the Redress of a Parliament, and that they do not justify the Prince of *Orange's* Attempt. But the Prince's Design is only to see a Free Parliament Chosen and Assembled according to Law. For our Author and his Complices (for he reckons himself in the Ministry §. 23. when he names the things objected against the Ministry, as objected *against us*.) had taken such care to keep off a Parliament, and to overturn all Corporations, to corrupt all Elections, and to provide for false Returns by Popish Sheriffs and Mayors, that we were out of all hopes, or rather out of a possibility of ever seeing a Free Parliament again ; so that any nearer Prospect that we now have

of one, is wholly owing to the Prince's Undertaking; and indeed what is given us at present, is done with so ill a Grace, and the Popish and corrupt Ministry, is still preserved and cherished with so particular a Confidence, that they seem to have a mind to make the Nation see that all is done so grossly, that those who are cheated by it, will have no excuse for their Folly, since the *trick* is acted with too bare a face to pass on any.

10. The Reflector thinks that the Prince ought to have complained to the King of these Abuses, though in other places of this Paper, he pretends that the Prince was not a proper Judge in those Matters; he aggravates the Prince's breaking with an Uncle and a Father-in-Law without warning given. Indeed, if this were the Case, all that could be said upon it, was, that he had copied from the Pattern that was set him in 1672, in that famous Attempt on the *Smirna* Fleet: What Complaints the Prince made, or what encouragement he had to make any, and how they were entertain'd and answer'd, are domestick matters, of which the World knows little, since all that has appear'd in publick was in Mr. *Fagel's* Letter; and how well that was received, and how civilly it was answer'd, all *England* saw. It is true, the Prince is very nearly related to the King, but there are other Ties stronger than the Bonds of Flesh and Blood; He owes more to the Protestant Religion and to the Nation, than can be defaced by any other Relation whatsoever; and if the failing in one Relation excuses the other, then enough might be said, to shew at what pains the Court of *England* has been, to free the Prince from all other Engagements, except those of *Loving Enemies*, and doing good to those who *despitefully use us*, for upon this account the Prince lies under all possible Obligations.

11. The Reflector thinks, that those who left *Ireland*, were driven by a needless Fear; but tho' he has no reason to apprehend much from the *Irish* Papists, yet those who saw the last Bloody *Massacre*, may be forgiven, if they have no mind to see such another. He faintly blames that great Change that was lately made in the whole Government of *Ireland*; but he presently excuses it, since it was natural for the King and his Friends to desire to be safe some where; till they had fair Quarter in *England*, they must make sure of *Ireland*; but he adds, that

that as soon as that was done, the thing must have returned into its old Channel again. This ought to be writ only to *Irishmen*, for none of a higher size of Understanding can bear it; if it can ever be shewed that Papists have yielded up any thing, which they had once wrung out of the Hands of Protestants, except when they were forced to it; we may believe this, and all the other gross things which are here imposed on us. The plain Case was, the Papists resolved to destroy us, and to put themselves in case to do it as soon as was possible. So they went about it immediately in *Ireland*, only they have delay'd the giving the Signal for a new *Massacre*, till Matters were ripe for it in *England*.

12. The Reflector has reason to avoid the saying any thing to the Article of *Scotland*, for even his Confidence could not support him in justifying the King's claiming an Absolute Power, to which all are bound to obey without reserve, and the Repealing of a great many Laws upon that Pretension; this is too gross for Humane Nature, and the Principles of all Religions whatsoever. Our Author avoids speaking to it, because he does not know the Extent of the Prerogative of that Crown. But no Prerogative can go to an Obedience without Reserve, nor can Absolute Power consist with any Legal Government.

13. The Declaration had set forth, that the Evil Counsellors had represented the Expedient, offer'd by the Prince and Princess, as offer'd on design to disturb the Quiet and Happiness of the Kingdom; upon which the Reflector bestows this kind Remark on the Ministry: And did they not say true, as it happens? Believe me, some Folks think many of them are not often guilty of such foresight: The Writer is angry that his Side is not uppermost; and tho' he includes himself in the Ministry by saying Us, when he speaks of them, yet here, tho' he was to censure the Party that is against him, he distinguishes them, by saying, many of the Counsellors use not to have such foresight: But perhaps they can object as much to his foresight, and with as much reason. But if the King comes up to Mr. *Fagel's* Letter, why was it rejected with so much Scorn, and answered with so much Insolence? Now perhaps they would hearken to it, when they have brought both themselves and the Nation to the brink of Ruin, by their mad Councils: But they

they ought to be forgiven, since they have been true to the Principles and Dictates of their Religion.

14. Our Reflector thinks a Free Parliament a *Chimera*, and indeed he and his Friends have been at a great deal of pains to render it impossible. But perhaps he may be quickly cured of his Error, and a Free One is the sooner like to be chosen, when he, and such as he, are set at a due distance from the Publick Councils. If Members are sometimes chosen by Drinking, and other Practices, this is bad enough, but still it is not so bad as the laying a Force upon the Electors, and a Restraint upon the Election. Nor is it very much to the King's Honour, to remember how the last Parliament was chosen; it was indeed a very disgusting Essay in the beginning of a Reign, and gave a sad prospect of what might be look'd for; but if one Violence was born with, when the struggle of another Party seem'd to excuse it; this does not prove that a course of such Violences, when the Design is become both more visible, and less excusable, ought to be endured. If the Members of that Parliament proved Worthy Patriots, I do not see why they ought not to be remembred with Honour, tho' there is a great deal to be said upon their first elevation to that Character, which they maintained indeed nobly; so that if the first Conception of the Parliament was Irregular, yet its End was Honourable, since never a Parliament was dissolv'd upon a more Glorious Account.

15. The Reflector sets up all his Sail, when he enters upon the Article of the pretended Prince of *Wales*: This was a Point by which he hoped to merit highly, and upon that, to gain ground on that Party of the Court, on whom he had reflected with so much scorn. Therefore here must the Prince be attack'd, with all the malicious Force to which his Rhetorick could carry him; and all those Men of Honour that went over to wait on him at the *Hague*, and to represent to him the bleeding and desperate Condition of the Nation, must be stigmatized as a lewd Crew of Renegadoes; tho, I must tell him, that the common acceptance of Renegado, is one that changes his Religion, and by this he will find some near him to whom that Character belongs more justly. He almost blames the King for the low Step he lately made to prove that Birth: It was a low one indeed,



deed, to make so much ado, and to bring together such a Solemn Appearance, to hear so slight a Proof produced ; which could have no other Effect, but to make the Imposture so much the more visible, when the utmost Attempts to support it, appear to be now so feeble, that as to the main Point of the Queen's bearing the Child, there is not so much as a colour of a Proof produc'd : And it is certain, that if this had been a fair thing, the Court would have so managed it, that it should not have been in the Power of any Mortal to have called it in question : And on the other hand, they have so managed it, that one must needs see, in every step of it, broad Marks of an Imposture. It will not be half Proofs, nor suborned Witnessess, that will satisfy the Nation in so great a Point. But I will enter into no Particulars relating to this Business, which will be better laid open when a Free Parliament meets to examine it.

16. The Reflector charges upon the Prince all the Miseries that may follow on a War, as an unsuitable return to the Kindness that the Nation has shewed him. But if the Dissolution of the Government, brought on by the Court, has given a just Rise to his coming, then the ill Effects that may fall out in the Progress of his Design, are no more to be charged on him, than the Miseries to which a severe Cure of the ill Effects of a wilful Disorder, expose a Patient, ought to be imputed to a Physician, that betrays his Patient if he flatters him ; and that must apply violent Remedies to obstinate Distempers. I do not hear from other Hands, that the Lords and Bishops about the City have disowned their inviting the Prince : and I do not believe it the better, because the Author affirms it. But if it were true, there are others in *England* besides those about the City : so the thing may be true, though a few about the City had not been in it. A small Civility is bestowed on the Prince, when it is said, that he would not have affirmed it, if he did not believe it ; but this is soon taken off, and it is said, doubtless he was abused in this. If this is to be supposed, the Prince is as weak a Man, as his Enemies, for their own sakes, ought to wish to be ; if he could suffer himself to be engaged in a matter of this nature, without being well assured of the grounds he went on.

17. What is said of the Prince's referring all matters to the determination of a Free Parliament, is too flat to require an Answer: This was a plausible thing, and therefore it ought to have been either quite past over, or somewhat of force ought to have been set against it. This is not the referring of other peoples Rights to a Parliament; but the leaving the healing of the Nation to those who are its proper Physicians. And the taking a Cure out of the hands of the Court, instead of that, is like the renouncing a sure Method and a good Physician, and the hearkening to the arrogant promises of a bold Mountebank. The Prince has promised to send away his Army as soon as the state of the Nation will permit, upon which the Reflector says, that here is but a Foreigner's word against our own King's; and he refers it to our Allegiance to judge, which of the two we ought to trust. But I cannot find out in what the Prince's promise contradicts any that the King has made; for I do not hear that the King has promised that these Troops shall not return; and unless that were the Case, I cannot find out the Contradiction; and after all, if we must speak out, there is some odds to be made between a Prince whose Religion, as well as his Honour, has ever determined him to keep all his Promises, and another whose Religion has taught him so often to make bold with all his.

18. The Prince's summoning the Nobility and Gentry, as it is the usual stile of all Generals, so it requires them only to appear and to act for their Country and their Religion; and his promising to have a *Parliament* called in *Scotland* and *Ireland*, imports no more but that he is come with a Resolution to have the Government settled on its true Basis, and that he will see it done.

19. The Reflector is in great wrath, because the Prince has, in his Additional Declaration, shewed how little regard ought to be had to that imperfect Redress of Grievances that has been offered of late. But it had been a concurring in the Cheat, to suffer it to pass, without laying it open: When fair things are offered from Men to whom we ought to trust, it is as seasonable to receive them, as it is to reject all deceitful things, when the Truth is apparent. Therefore as the Prince had no reason to abandon the Cure of the Nation, after the steps that he had made, because of the endeavours

endeavours of the Court to lay it asleep; so he has so purged himself from the Imputations of designing a Conquest, that all our Reflector's Malice cannot make them stick; and all that Noble Company that came over with him, and that have since come in to him, are a proof of this beyond Exception. Let all Men of Sense judg, whether an Army compos'd of so many *Irish Papists*, or another made up of so many Noblemen and Gentlemen of great Families and Estates, are likeliest to set about the Conquering the Nation.

20. He fancies, that what the Prince gets by the Sword, he will keep by the Sword: And upon this he tells us, that he said Once to the King, that the bringing the *Dutch Army* to the Discipline in which it was, had cost 1300 Lives: Upon which he wishes those who value the *Magna Charta*, and Trials by Juries, to make some Reflections. But since the Situation and Constitution of *Holland*, makes an Army necessary to them; and since they have provided, by particular Laws, that Marshal Discipline should be maintain'd by a Council of War, nothing could have been contriv'd more for the Prince's Honour, than to tell us that he has so ordered the Matter, that the Army is become one of the most regular and inoffensive Bodies of Men that is in all *Holland*: which this Nation sees now, with no small astonishment; to whom one Regiment of *Irish* has given more Fear and Disorder, than this great Army has done to the places through which it has passed. The Reflector tells us also, as a very ridiculous thing, that the Prince, who has left the *Dutch* no Liberty at Home, comes now to secure ours here. And to make the Parallel compleat, between the Prince and a near Relation of his, he pretends that he broke his Oath to the States of *Holland*, he having promised never to be *Stattholder*, though it should be offer'd him: And to conclude all against him, he says, there is no more proportion between the Ancient Liberties of *Holland*, and his present Government, than there is between *London* and *Brandford*. Here is the Force of all his Malice, but we who have seen the State of Affairs in *Holland*, and the Freedom of the Government there, know that *England* can wish for no greater Happiness, than that the Laws and Government here, may be maintained as exactly here, as they are there: And the late Unanimous

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Concurrence of all the Provinces, and of all the Negatives in every Province, and not only of all the Members in every one of these Bodies, but indeed of the whole People all over the Provinces, *Amsterdam* it self leading the way to all the rest, by which they gave their Fleet, their Army, and their Treasure so frankly up to the *Prince*, was an Evidence of his good Government, beyond all that can be set forth in words; for real Arguments conclude always truly. And for the *Prince's* Oath, it was an Obligation to the States, and was intended, even by those who framed it, only to hinder all Caballing for obtaining any such Offer to be made him. But when they were brought to that Extremity, to which we helped to drive them, so that there was a change made in the greatest part of the whole Government, they Unanimously found the necessity of Vesting the *Prince* with the full Authority of *Statsholder*; and therefore the Oath being made to them, it was in their power to give it up: So that here was no breach of Oath, but only a Relaxation of the Obligation that was made to the States. The Reflections end with a piece of Railery, which might pass, if it were either witty or decent: But if the things that are objected seem irregular, I fancy that Mr. *Pen's* writing for Popery, and Mr. *Stewart's* for Tyranny, are things every whit as Incongruous as any of these, with which the Reflector diverts himself.

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Printed for *John Starkey*, 1688.

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T H E  
C I T A T I O N  
O F  
G I L B E R T B U R N E T, D. D.

*To answer in Scotland, on the 27th of June, Old Stile, for High Treason : Together with his Answer : And Three Letters writ by him upon that Subject, to the Right Honourable the Earl of Middleton, his Majesty's Secretary of State.*

**I** Know the Disadvantages of pleading ones Innocence, especially when he is prosecuted at the Suit of his Natural Prince, to whom he owes so profound a Duty : and this has kept me so long in a respectful silence, after I had seen my Name in so many *Gazettes*, aspersed with the blackest of all Crimes : But there is both a time to be silent, and a time to speak. And as hitherto I have kept my self within the bounds of the one, so I do now take the Liberty which the other allows me : But I was not hitherto silent where I ought to speak ; for I have made many humble Address'es to his Majesty, by the Earl of *Middletoun* his Secretary of State ; hoping that my Innocence, joined with my most humble Duty, would have broke through all those Prejudices and false Informations with which my Enemies had possessed his Majesty against me.

Upon the first Notice that I had of his Majesty's having writ to the *Privy Council* in *Scotland*, ordering *Process* to be issued out against me for *High Treason*, I writ my *First Letter* : In that I could enter into no Particulars ; for in the Advertisement that was sent me, it was said, that there was no special Matter  
laid

laid to my Charge in the *King's Letter*. Some days after that, I received a Copy of my *Citation*, to which I presently writ an *Answer*, and sent that with my *Second Letter* to the same *Noble Person*; to both these *Letters* I received no Answer; but I was advertised, that some Exceptions were taken at some words in my *First Letter*, and this led me to write my *Third Letter*, for explaining and justifying those words. I have kept my self thus within all those Bounds that I thought my Duty set me; and am not a little troubled, that I am now forced to speak for my self. I have delayed doing it, as long as I had any reason to hope, that my Justification of my self was like to produce the Effect which I most humbly desired, and which I expected: But now the *Day* of my Appearance being come, in which it is probable *Sentence* will pass against me, since I have had no Intimations given me to the contrary, I hope it will not shew either the least Impatience, or the want of that Submission, which I have on all Occasions payed to every thing that comes to me from that Authority, under which God had placed me, that I publish these Papers for my own Vindication. If it had been only in defence of my *Life* and *Reputation*, that I had been led to appear in such a manner, I could have more easily restrained my self: and have left these to be Sacrifices to the Unjust Rage of those, who have so far prevailed on his Majesty's readiness to believe them, as to drive this Matter so far: but the Honour of that *Holy Religion* which I profess; and the Regard I bear to that *Sacred Function* to which I am dedicated, lay such Obligations on me, that I am determin'd by them, to declare my Innocence to the World; which I intend to do more copiously within a little while: but in the mean time, I hope the following *Papers* will serve to shew how clear I am of all the Matters that are laid to my charge.

There is one Particular, which is come to my knowledge since I writ my Answer, that will yet more evidently discover my Innocence: I have received certain Informations from *England*, that both *Sir John Cochran* and his *Son*, and *Mr. Baxter*, have declared upon many occasions; and to many Persons, that they cannot imagin how they come to be cited as *Witnesses* against me; that they can scarce believe it can be true; since they

they know nothing that can be any way to my Prejudice; and that they must clear me of all the Matters objected to me in this *Citation*: and the *two Witnesses*, that as it seems are cited for that *Article* that relates to *Holland*, have solemnly declared, that they know nothing relating to me, or to the Matters specified in this *Citation*, which *one* of them has signified to my self in a *Letter* under his hand; so that the Falseness of this *Accusation* is so evident, that it serves to discover the Folly, as well as the Impudence of those who have contrived it.

But it is yet too early to set on a *Persecution* for *Matters of Religion*; therefore Crimes against the *State* must be pretended, and fastned on those whom these Men intend to destroy. And as foul and black Scandals are invented to Defame me, and put in the mouths of those who are ready to believe and report every thing that may disgrace me, without considering that they do a thing that is as unbecoming them, as it is Base and Injust in it self; so all Arts are used to destroy me; but I trust to the Protection of that GREAT GOD, who sees the Injustice that is done me, and who will in his own Time and Way vindicate my Innocence; and under him I trust to the Protection of the *HIGH AND MIGHTY STATES OF HOLLAND AND WEST-FRIESELAND*.

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My First L E T T E R to the  
Earl of M I D L E T O U N E.

May it please your Lordship;

**T**He Affairs of these Provinces belonging to your Lordship's share in the Ministry, leads me to make this most humble Address to you, and by your Lordship to his Majesty.

I have received Advertisement from Scotland, that the King has writ to the Privy Council, ordering me to be proceeded against for

for High Treason against his Person and Government: and that pursuant to this, the King's Advocate has cited me to appear there. If any thing in this World can surprize or disorder me, this must needs do it: For as few have writ more, and preach'd finer against all sorts of Treasonable Doctrines and Practices than my self, so all the Discoveries that have been made of late Years, have been so far from aspersing me, that tho' there has been disposition enough to find fault with me, yet there has not been Matter given so much as for an examination. It is now thirteen Years since I came out of Scotland; and for these last five Years, I have not so much as mentioned the commonest News in any Letter I have writ to any in that Kingdom: I do not mention Acts of Indemnity, because I know that I do not need the benefit of them. I went out of England by his Majesty's Approbation; and I have stayed out of it, because his Majesty expressed his dislike of my returning to it. I am now upon the Point of Marrying in this Country, and am naturalized by the States of Holland: but tho' by this, during my stay here, my Allegiance is translated from his Majesty to the Sovereignty of this Province, yet I will never depart from the profoundest respect to his Sacred Person, and Duty to his Government. Since my coming into these Parts, I have not seen any one Person, either of Scotland or England, that is Outlaw'd for Treason: and when the King took Exceptions at the access I had to the Prince and Princess of Orange, there was not any thing of this kind then objected to me. So I protest unto your Lordship, I do not so much as imagine upon what it is that those Informations, which it seems are brought to his Majesty, are founded.

My Lord, As I am not ashamed of any thing I have done, so I am not affraid of any thing that my Enemies can do to me: I can very easily part with a small Estate, and with a Life of which I have been long weary; and if my Engagements in this Country could dispense with it, I would not avoid the coming to stand my Tryal: but as this cannot be expected in the state in which I am, so I humbly throw my self at His Majestys feet, and beg, that he may not condemn me so much as in his thoughts, till I know what is the Crime that is objected to me, that so I may offer a most humble Justification of my self to him. I shall be infinitely sorry if any Judgment that may pass on me in Scotland, shall oblige me to appear in print in my own Defence: for I cannot betray my own Innocence so far as to suffer a thing of this nature to pass upon me, without Printing



*an Apology for my self; in which I will be forced to make a recital of all that share that I have had in Affairs these twenty years past: and in which I must mention a vast number of particulars, that I am affraid will be displeasing to His Majesty: and as I will look on this as one of the greatest Misfortunes that can possibly befall me, so with all the Duty and Humility in the World, I beg I may not be driven to it. I will not presume to add one word to your Lordship, nor to claim any sort of Favour or Protection from you. For I address my self only to your Lordship as you are the Kings Minister for these Provinces.*

My Lord, I am with all possible respect,

*May it please your Lordship,*

At the Hague, May  
the 10th, 1687.

Your Lordships, &c.

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*The Criminal Letters at the Instance of  
the Lord Advocate, against Dr. Gilbert Burnet.*

**J**AMES, &c. To our Lords, &c. Heralds, Pursuivants, Messengers and Postmen at Arms, Our Sheriffs in that part conjunctly and severally specially constitute, Greeting. Forasmuch as it is humbly meaned and complained to Us be our Right Trustie and Familiar Councelloz, Sir John Dalrymple the Younger, of Stair, our Advocat for our Interest, Upon Doctor Gilbert Burnet.

That where, notwithstanding by the Laws and Acts of Parliament, and constant Practique of this our Kingdom, the venting of Scanderous, Treasonable and Advised Speeches and Positions, and the Reproaching

proaching our Person, Estate and Government, and the Recepting, Supplying, Ayding, Assisting, Intercommuning with, and doing Favours to denounced Rebels, or forsaulted Traitors, are punishable by Forfaulture of Life, Land and Goods, and particularly by the 134 Act of 8 P. R. Ja. 6. It is Statute Ordained that non of our Subjects, of whatsoever Degree, Estate or Quality, shall presume or take upon hand, privatelie or publickly, in Sermons, Declamation, or Familiar Conferences, to utter any False, Scandalous or untroue Speeches, to the Disdain, Reproach, or Contempt of Us, our Council or Proceedings, or to the Dishonour, Hurt or Prejudice of Us, or to meddle in our Affairs or Estate bygone, present, or in tyme coming, under the Pain of Death, and Confiscation of Moveables. And be the 10 Act 10 P. R. Ja. 6. It is Statute and Ordained, that all our Subjects containe themselves in Duety and dutiful Obedience to Us, our Government and Authority; and that non of them presume nor take upon hand publickly to declaim or privatelie to speak or write any Purpose of Reproach, or Scandal against our Person, Estate or Government, or to deprave our Lawes and Acts of Parliament, or misconstrue our Proceedings, whereby any Disslike may be moved betwixt Us, our Nobility and Loving Subjects in tyme coming, under the Paine of Death; and that thes that do in the contrair shall be repute as Seditious and wicked Instruments, Enemies to Us and the Common-weel of this Realm, and that the said Paine of Death shall be inflicted upon them with all Rigour in Example of others. And be the second Act 2. Sess. of the first Parliament of R. Ch. 2. We and our Estates of Parliament do declare, that in thes Positions, that it is

Lawful

Lawful for Subjects upon pretence of Reformation, or any other pretence whatsoever to enter into Leagues or Covenants, or to take up Arms against Us, or thes Commissionat by Us, or to put Limitations upon their due Obedience and Allegiance, are Rebellious and Treasonable; and that all Persons who shall by wytyng, Preaching, or other malicious and aduylsed Speaking, Express thes Treasonable Intentions, shall be proceeded against and adjudged Traitors, and shall suffer forfaulture of Life, Lands and Goods, lyke as by the third Act 1. P. of K. Ja. 1. and 37. Act of his second Parliament, and be the 9. Act of 13. P. K. James 2. and 144. Act 12. P. K. James 6. And Diverse and Sundry other Laws and Acts of Parliament of this our Kingdom, It is declared High-Treason for any of our Subjects to Recept, Supply or Intercomon with declared or forfaulted Traitors, or give them Heat, Drink, Hous, Harbour, or any Relief or Comfort, and if they do in the Contrair, they are to undergo the same Paines the said Traitors or Rebels ought to have sustained, if they had bein apprehended.

Nevertheless, It is of Verity, that the said Doctor Gilbert Burnet, shaking off all Fear of God, Conscience and Sense of Duty, Allegiance and Loyalty to Us his Sovereign and Native Prince, upon the Safetie of whole Person and Maintinance of whole Sogeraign Authority and Princely Power, the Happiness, Stabilitie and Duynetness of Our Subjects do depend, Hes most perfidiously and treasonably presumed to commit, and is guilty of the Crimes abovz mentioned in sua far as Archbald Campbel, sometime Earl of Argyle; James Stewart, Sone to Sir James Stewart, sometime Provost of Edinburgh; Mr. Robert

bert Ferguson, sometime Chaplain to the late Earl of Shaftsbury; Thomas Stewart of Cultnefs; William Denholn, sometime of Westsheils; Waster Robert Martin, sometime Clerk to our Justice-Court; and severall other Rebels and Traitors, being most justly by our high Courts of Parliaments, and Justice Court, Forfaulted for the Crimes of Treason, and fled to our Kingdom of England, and to Holland, Flanders, Geneva, and severall other places. The said Doctor Gibert Burnet did upon the first, Second, and remanent days of the Month of January, February, and remanent Months of the Year one thousand six hundred eighty two, one thousand six hundred eighty three, one thousand six hundred eighty four; or January, February, March, or Aprile, one thousand six hundred eighty five; Converse, Correspond, and Intercommon with the said Archbald late Earl of Argyle, a Forfaulted Traitor, and that within the said Doctor Burnet his Dwelling-Hous in Lincolns-Inne Fields, near the Plow-Inn in our City of London, or Suburbs thereof, or some other part or place within our Kingdom of England, Defamed, Scandalered, and Reproached, and Advisedlie spoke to the Disdain and Reproach of our Person, Government and Authority, wrote severall Letters, and received Answers thereto from the said Forfaulted Traitor when he was in Holland, or elsewhere, expressly contrary to his Duty and Allegiance to Us his Sovereign Lord and King. And sucklick upon the first, second, and third dayes of the Months of May, June, July, August, September, October, November and December, one thousand six hundred eighty five, and upon the first, second, and third dayes of the Moneths of January, February, and remanent Moneths

of the Year one thousand six hundred eighty six, and first, second and third dayes of the Moneths of January, February, March, one thousand six hundred eighty seven; or any or other of the dayes of any or other of the said Moneths or Years; The said Doctor Gilbert Burnet did most treasonable Receipt, Supplied, Aided, Assisted, Conversed and Inter-comoned with, and did Favours to the said James Stewart, Mr. Robert Ferguson, Thomas Stewart, William Denholm, and Mr. Robert Martyn, forfaulted Traitors and Rebels in the Cities of Rotterdam, Amsterdam, Leyden, Breda, Geneva; or some other part or place within the Netherlands, or elsewhere; publicly and avowedly uttered several Speeches and Positions to the Disdain of our Person, Authority and Government; continues and persists in such undutiful and treasonable Practises against Us and Our Government (We being his Sovereign Lord and Prince) expresse contrarie to his Allegiance and Duty. By committing of the whilk Crimes above specified, or either of them, the said Doctor Burnet is guilty and culpable of the Crime of High Treason, and is Art and Part thereof, which being found be any Inquest, he ought and should to suffer Forfaulture of Life, Land and Goods, to the Terror and Example of others to commit the like hereafter. Our Will is, therefore, and we charge you straitlie, and Command, that incontinent this our Letter seen, yee pass, and in our Name and Authority, Command and Charge the said Doctor Gilbert Burnet, above complained upon be found of Trumpet with displayed Coat, and using other Solemnities necessary, to come and find sufficient Caution and Sobertie acted in our Books of Adjournal, that he shall compare before our Lords

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Justice

Justice General, Justice Clerk and Commissioners of Iusticiary, within the Tolbuith or Criminal Court-hous of Edinburgh, the twentieth seventh day of June next to come, in the hour of Taus, there to under-  
 like the Law for the Crymes above mention'd, and that under the Paines contained in the new Acts of Parliament; And that ye charge him personally, if he can be apprehended and salzeing thereof at his dwelling-hous, and be open Proclamation at the Mercat Cross of the head Burgh of the Shyre, Stewartie, Regalitie, and other Jurisdiction where he dwells, to come and find the said Sobertie acted in manner forsaid within six dayes, if he be within this our Kingdom, and if he be out with the Samyne, that ye command and charge him in manner forsaid be open Proclamation at the Mercat Cross of Edinburgh, Peer and Shear of Leith, to come and find the said Sobertie within threescore dayes next after he is charged be you thereto under the Paine of Rebellion, and putting of him to our Horne. Whilk six and threescore dayes respectibely being by-past, and the said Sobertie not being found, nor no Intimation made be him to you of the finding thereof, that ye incontinent thereafter denunce him our Rebel, and put him to our Horne, Escheat, and inbring all his moveable Goods and Geir to our use for his Contemption and Disobedience. And if he come and find the said Sobertie, Intimation alwayes being made be him to you of the finding thereof, that summond and Assyle hereto, not exceeding the number of fourtie fyve Persons, together with such Witnesses who best know the Veritie of the Premisses, whose Names shall be given you in Roll subscribed by the said Complainor. All Person under the paine of ane hundred Merks. And

And that ye within fiftiein dayes after his denuncia-  
tion for not finding of Caution, caus registrate thir  
Dur Letters with your Executions thereof, in Dur  
Books of Adjournal conforme to the Act of Parlia-  
ment made there-ancient. According to Justice as ye  
will answer to Us thereupon, the whilk to doe Com-  
mitts to yow conjunctly and severallie Dur full Power  
be thie Dur Letters, delyvering them be yow duellie  
Execute and Indorsat again to the bearer. Given  
under Dur Signet at Edinburgh the nynteinth day  
of Aprile, and of Dur Reign the third Year, 1678.  
Ex deliberatione Dominorum Commissionariorum Ju-  
sticiarii sit subscribitur.

Signed 19. Apryle, 1687.

THO. GOFDONNE.

The Witnesses against Dr. *Gilbert Burnet* are,

Sir <i>John Cochran</i> of Ockiltree.	Mr. <i>William Carstairs</i> , Prea- cher.
<i>John Cochran</i> of Wattersyd.	<i>Robert Baird</i> , Merchant in Holland.
Mr. <i>Robert West</i> , Lawyer, Eng- lishman.	Mr. <i>Richard Baxter</i> , Preacher.
Mr. <i>Zachary Bourne</i> , Brewer, Englishman.	

A N

## A N S W E R

T O T H E

*Criminal Letters* issued out against me.

**I** Look upon it as a particular Misfortune, that I am forced to answer a *Citation* that is made in his *Majesty's* Name; which will be ever so sacred with me, that nothing but the sense of an Indispensable Duty could draw from me any thing that looks like a contending with that sublime Character.

I owe the Defence of my own *Innocence* and of my *Reputation* and *Life* to my *self*: I owe also to all my *Kindred* and *Friends*, to my *Religion* as I am a *Christian* and a *Protestant*, and to my *Profession* as I am a *Church-man*, and above all, to His *Majesty*, as I am his *born Subject*, such a Vindication of my *Loyalty* and *Integrity*, as may make it appear, that my not going to *Scotland*, according to the Tenour of this *Citation*, does not flow from any sense of Guilt or Fear, but merely from those Engagements under which I am in *Holland*.

I hope my contradicting or refuting the Matters of Fact set forth in this *Citation*, shall not be so maliciously perverted by any, as if I meant to reflect either on His *Majesty* for writing to his Council of *Scotland*, ordering this *Citation* to be made, or on his *Advocate* for forming it, and issuing it out. But as I acknowledg, that upon the *Information* it seems was offered of those Matters here laid against me, it was very reasonable for His *Majesty* to order Justice to be done upon me; so his *Advocate*, in whose hands those *Informations* it seems are now put, had all possible reason to lay them against me, as he has done; and therefore I will not pretend to make any Exception to the *Laws* and *Acts of Parliament*, set forth in the first part of this *Citation*; but I will only answer the



the matters of Fact laid to my charge ; and whatsoever I say concerning them, does only belong to my false Accusers ; and therefore I hope they will not be look'd on as things in which even his *Majesties Advocate*, but much less his Sacred *Majesty*, is any way concerned.

I am first accused for having seen, conversed with, and held correspondence with the late *Earl of Argyle* : and to make this appear the more probable ; the place is marked very Critically, where I lived ; and where, as it is pretended, we met. But it is now almost two Years since the late *Argyle* was taken and suffered, and that a full account was had of all his secret Practices, in all which I have not been once so much as mentioned, tho it is now a Year since I have lived and preach'd openly in these *Provinces*. The truth is, that for nine Years before the late *Earl of Argiles* forfeiture, I had no sort of correspondence with him, nor did I ever see him since the Year 1676. After his escape out of Prison I never saw him, nor writ to him, nor heard from him, nor had I any sort of Commerce with him, directly nor indirectly : the Circumstance of my House, and the place in which I lived, is added, to make the thing look somewhat probable : but tho it is very easy to know where I lived, and I having dwelt in *Lincolns-Inn-Fields* the space of seven Years, it was no hard matter to add this particular ; yet so Inconsiderate is the Malice of my Enemies, that even in this, it leads them out of the way ; for soon after *Argile's* Escape, and during the stay that, as is believed, he made in *London*, I had removed from *Lincolns-Inn-Fields* into *Brook-buildings* ; this makes me guess at the *Informer*, who saw me often in the one House, but never in the other : and yet even he, who has betray'd all that ever pass between us, has not Impudence enough to charge me with the least Disloyalty, tho I conceal'd very few of my thoughts from him.

With this of my seeing the late *Argile*, the *Article* of the Scandalous and Treasonable words pretended to be spoken by me to him, against His *Majesties* Person and Government, falls to the ground ; it is obvious that this cannot be proved, since *Argile* is dead ; and it is not pretended that these words were uttered in the hearing of other Witnesses : nor is it needful to add, that His *Majesty* was then only a Subject, so that any

Words spoken of him at that time cannot amount to *Treason*: but I can appeal to all those with whom I have ever conversed, if they have ever heard me fail in the respect I owed the *King*: and I can easily bring many Witnesses from several parts of *Europe*, of the Zeal with which I have on all occasions expressed my self on those Subjects; and that none of all those hard Words, that have been so Freely bestowed on me, has made me forget my Duty in the least.

I am in the next place accused of Correspondence with *James Stewart*, *Mr. Robert Ferguson*, *Thomas Stewart*, *William Denholm*, and *Mr. Robert Martyn*, since my coming out of *England*; and that I have entertained and supplied them in Foreign Parts; particularly in the Cities of *Amsterdam*, *Rotterdam*, *Leyden*, *Breda*, *Geneva*, or in some other parts within the *Netherlands*. This *Article* is so very ill laid in all its branches, that it shews my Enemies have very ill Informations concerning my most general Acquaintance since; tho there are, among those that are condemned for *Treason*, some that are of my Kindred and ancient Acquaintance; they have here cast together a Company of Men who are all (*James Stewart* only excepted) absolutely unknown to me, whom I never saw, and with whom I never exchanged one word in my whole life, as far as I can remember; one of them, *Mr. Robert Martyn*, was as I ever understood it, dead above a Year before I left *England*; as for *James Stewart*, I had a general Acquaintance with him twenty Years ago, but have had no Commerce with him now for many Years, unless it was that I saw him twice by Accident, and that was several Years before there was any Sentence past on him: my Accusers know my Motion ill, for I have not been in *Breda* these twenty three Years. I settled in the *Hague* upon my coming into *Holland*, because I was willing to be under the Observation of His *Majesties* Envoy: and I chose this place the rather, because it was known, that none of those that lay under Sentences come to it. I have never gone to *Amsterdam* or *Rotterdam* in secret: and have never been there but upon my private Affairs, and that never above a Night or two at a time; and I have been so visible all the while that I was in those places, that I thought there was not room left even for Calumny.

In the last place it is said, that I have *publicly and avowedly uttered several Speeches and Positions to the disdain of His Majesties Person, Authority and Government, and that I continue and persist in those Treasonable Practises.* This is so generally Asserted, that it is enough for me to say, it is positively false: but I have yet clearer Evidence to the contrary of this: I have preached a whole Sermon in the *Hague* against all Treasonable Doctrines and Practises; and in particular, against the Lawfulness of Subjects rising in Arms against their Sovereign, upon the account of Religion: and I have maintained this so oft, both in publick and private, that I could, if I thought it convenient, give Proofs of it that would make all my Enemies be ashamed of their Injustice and Malice.

The Witnesses cited against me are, first, Sir *John Cochran*, whom I have not seen above these four Years last past, and with whom I have had no sort of Commerce since I saw him. It is almost two Years since he had his Pardon; so it is probable he then told all that he has ever told concerning me: and it is not likely, that the Matter would have been let lie asleep all this while, if he had said any thing to my prejudice. I confess I have been long acquainted with him; I look upon him as a Man of Honour; and I reckon my self so safe in his Honour, and in my own Innocence, that I do very freely release him from all the Obligations of Friendship and Confidence, and wish that he may declare every thing that has ever past between us; for then I am sure he will do me the right to own, that as oft as we talk'd of some things that were complain'd of in *Scotland*, I took occasion to repeat my Opinion of the Duty of Subjects, to submit and bear all the ill Administrations that might be in the Government, but never to rise in Arms upon that account. The next *Witness* is his *Son*, whom I never saw but once or twice, and with whom I never entred into any Discourse, but what became a Man of my profession to so young a Person, exhorting him to the Duties of a Christian. The next two are Mr. *West* and Mr. *Bourn*, whose Faces I do not know. After them come Mr. *Carstaires* and Mr. *Baird*, whose Faces I know not neither: It seems these are the *Witnesses* to be led against me for the *Article* relating to the *Netherlands*; but as I am wholly a Stranger to  
Mr.

Mr. *Carstairs*, so I do not so much as know if there is such a Person in being as *Robert Baird*, Merchant in *Holland*. And for the last, Mr. *Baxter*, I have had no Correspondence at all with him these two and twenty Years; unless it was that once or twice I have met him by accident in a Visit in a third place, and that once about six Years ago I went to discourse with him concerning a matter of History in which we differ'd; but as all our Conversation at that time was in the presence of some Witnesses, so it was not at all relating to matters of State.

And now I have gone over all the Matter that is laid against me in this *Citation*, and have made such *Reflections* both on the *Facts* that are alledged, and the *Witnesses* that are named, as will I hope satisfy even my Enemies themselves, of the Falseness and Injustice of these *Informations*. So that I presume so far on His Majesty's Justice, as to expect that all the Indignation which is kindled against me, will be turned upon my false Accusers.

To all this I will add one thing further for my Justification, tho I am fully satisfied it is that which I am not obliged to do, and which if I were in other Circumstances I would not do myself; as I would advise no other Man to do it. For it is a part of that Right that every Man to preserve himself by all lawful ways, that he do not accuse himself, and by consequence, that he do not purge himself by *Oath* of matters objected to him: and I do not so well approve of the *Courts of Inquisition*, as to give countenance to a practice which was first set on foot by them, of requiring Men to answer upon *Oath* to Matters objected to them. If I were not a *Church-man* I would not do this which I am about to do; as I declare I will never do it again, let my Enemies lay to my charge what they please. But the regard I have to this *Sacred Function* to which I am dedicated, makes me now once for all, offer this solemn purgation of my self. I attest the Great God, the Searcher of all Things, and the Judge of all Men, that all the Matters of Fact laid to my Charge in this *Citation* are utterly groundless, and absolutely false. This I am ready to confirm with my Corporal *Oath*, and to receive the *Sacrament* upon it.

And now I hope I have said enough to satisfy His Majesty concerning my Innocence, so that I am confident he will not only discharge all further proceedings against me, upon this Accusation, but that he will express his Royal Displeasure against my False Accusers. But if the power of my Enemies, and their credit with His Majesty is still so great, that this matter shall be carried further, and that advantage shall be taken from my not appearing in *Scotland*, to proceed to a *Sentence* against me, which some brutal men now in the *Hague* are threatening before hand, that they will execute it: I then make my most humble Appeal to the Great God, the King of kings, who knows my Innocence, and to whom my Blood will cry for Vengeance, against all that may be any way concerned in the shedding of it. He will at the Great Day judge all men righteously, without respect of persons: It is to him that I fly, who I am sure will hear me. Judge me, O God, according to the Integrity that is in me.

GILBERT BURNET.

At the Hague in Holland  
the 17. May Old Stile, 1687.

### My Second Letter to the Earl of Middletoune.

May it please your Lordship;

**T**He Copy of the Citation against me, has been sent me out of Scotland, since I took the liberty to write last to your Lordship; this puts me on a second Address to you, for conveying the enclosed Answer, which I most humbly lay down at his Majesty's feet. I am confident that the Falshood of the matters objected to me, will appear so evident to His Majesty, as well as to all the world besides, that he will not only order the proceedings to be quite discharged, but that he will also order some reparation to be made to me, for so publick a Blemish, as even a Citation for so high a Crime amounts to. I confess the many hard things that have been of late cast on me, and in particular to Young and Old, and Forraigners as well as Englishmen, that have been coming into these Parts, make me see that my Enemies have possessed his Majesty with thoughts of me,

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that

that I must erave leave with all Humility to say, that they are as undeserved as hard. What have I either done or said, to draw on me so heavy and so long a continued displeasure? but my comfort lies in the Witness that I have within me, of my own Innocence: so that I dare appeal to God, as I do now with all duty to his Vicegerent.

Since this Matter is now become so publick, and that my Name is now so generally known; I must not be wanting to my own Innocence, especially when not only my Life and Reputation are struck at, but the Religion that I profess is wounded through my sides: therefore till I have put in order my Memoirs for a larger work, I find it in some sort necessary to print the Citation, together with this Answer: but I had much rather have all this prevented, by an effect of his Majesties Justice, in ordering an end to be put to this Accusation, and that by some Act that may be as publick as the Citation it self was, which may bear His Majesty's being satisfied with my Innocence, as to these Matters; but if I have still as melancholy an answer to this, as I have had to all the former Applications I have made, I must maintain my Innocence the best way I can, in which I will never forget that vast Duty that I owe His Majesty, whatsoever I may meet with in my own particular.

If there is any thing either in the Inclosed Paper, or in this Letter, that seems a little too vehement, I hope the provocation that I have met with will be likewise considered; for while my Life and Reputation are struck at, and while some here are threatening so high, a man must be forgiven to shew that he is not quite unsensible: tho my Duty to the King is Proof against all that can ever be done to provoke me, yet I must be suffered to treat the Instruments and Procurers of my disgrace, who are contriving my destruction, with the plainness that such Practices draw from me. I will delay Printing any thing for a fortnight, till I see whether your Lordship is like to receive any Order from His Majesty relating to him, who is,

May it please your Lordship,

At the Hague  
the 17. of May  
Old St. 1687.

Your Lordships, &c.

My

### My Third Letter to the Earl of Middletoune.

May it please your Lordship;

**I** Venture once more to renew my Addresses to your Lordship, before I Print the Paper that I sent you by my last of the 17. of May, together with the Two Letters that I writ you: for I find it necessary to add this, and that it go with the rest to the Press.

I am told, that great Advantages have been taken upon an Expression in my First Letter, in which I writ that by my Naturalization during my stay here, My Allegiance was translated from His Majesty to the Sovereignty of this Province; as if this alone was crime enough: and I hear that some who have been of the Profession of the Law are of this Mind. I indeed thought that none who had ever pretended to study Law, or the general Notions of the Intercourse among Nations, could mistake in so clear a Point. I cautioned my words so, as to shew that I considered this Translation of my Allegiance only as a temporary thing during my stay here. And can any man be so ignorant as to doubt of this? Allegiance and Protection are things by their natures reciprocal: since then Naturalization gives a Legal Protection, there must be a return of Allegiance due upon it. I do not deny but the root of Natural Allegiance remains, but it is certainly under a suspension, while the Naturalized Person enjoys the Protection of the Prince or State that has so received him. I know what a Crime it had been if I had become Naturalized to any State in War with the King; but when it was to a State that is in Alliance with him, and when it was upon so just a ground as my being to be married and settled in this State, as it could be no Crime in me to desire it, so I having obtained it, am not a little amazed, to hear that any are so little conversant in the Law of Nations, as to take Exceptions at my words. Our Saviour has said, that a man cannot serve two Masters: and the nature of things say, that a man cannot be at the same time under two Allegiances. His Majesty by Naturalizing the Earl of Feversham and many others of the French Nation, knows well what a right this gives him to their Allegiance, which no doubt he as well as many others have sworn, and this is a translating their Allegiance with a Witness: That Lord was to have commanded the Troops that were to be sent into Flanders

in 1678. against his Natural Prince: and yet tho' the Laws of France are high enough upon the points of Sovereignty, it was never so much as pretended that this was a Crime. And it is so much the Interest of all Princes to assure themselves of those whom they receive into their Protection by Naturalizing them (since without that they should give Protection to so many Spies and Agents for another Prince) that if I had not very good ground to assure me, that some have pretended to make a Crime out of my Words, I could not easily believe it.

My Lord, this is the last trouble that I will give your Lordship upon this Subject: for it being now a month since I made my first Address to you, I must conclude, that it is resolved to carry this matter to all Extremities; and Mr. d'Albevilles Instances against me, and the Threatnings of some of his Countrey-men, make me conclude, that all my most humble Addresses to His Majesty are like to have no other effect but this, that I have done my duty in them; so that it seems I am to be judged in Scotland. I am sorry for it, because this must engage me in a defence of myself, I mean a Justification of my own Innocence, which I go to, much against my heart; but God and man see that I am forced to it: and no Threatnings of any here will frighten me, for I will do that which I think fit for me to do to day, though I were sure to be assassinated for it to morrow; but to the last moment of my Life I will pay all Duty and Fidelity to His Majesty.

My Lord; I am with a profound respect

At the Hague  
the 6. of June Old St.  
1687.

Your Lordships, &c.



## A D V E R T I S E M E N T.

WHEN I had resolv'd on the *Printing* these *Papers*, and was waiting till the day should come to which I was cited, I received a new *Advertisement*, that the first *Citation* was let fall, and that I was cited of new to the 15 of *August*, to Answer to the Crimes of *High Treason*, upon the account of *two Heads* in my first *Letter* to the Earl of *Middleton*: The one is, that I say, that *by my Naturalization I am loos'd from any Allegiance to His Majesty*; and the other is, that I threaten *His Majesty* with the *Printing and Discovering of Secrets that have been long hid*. If after what I have hitherto met with, there were room left for new *Surprises*, this would have been a very great one. Those who have advis'd the *King* to this way of Proceeding against me, shew that they consider very little the Reputation of *His Majesty's Justice*; and so I be but Sacrificed, they do not care how much the *Kings Honour* suffers in it: For *First*, after a *Citation of High Treason*, which has made so much noise, *that is let fall*: Which is plainly to confess, that there is no truth in all those Matters that were laid to my Charge; and then, where is the Justice of this way of Proceeding, to Summon a Man to appear upon the pretence of Crimes, of which they know him to be Innocent? But this new matter is of such a Nature, that it is not easy for me to find words soft enough to speak of it with the decency that becomes me.

This is now more the *Cause* of the *States of Holland and West-Friezeland* than it is mine. It is indeed the *Cause* of all the *Sovereigns* in the World, and so it is *His Majesties own Cause*, who has so often call'd the *Naturalized French His Subjects*, and by consequence they owe him an *Allegiance*; and so here must be at least a *Temporary Translation of their Allegiance made to him from their Natural Prince*: And either this must be the same as to those who are *Naturalized* by the *States* here, or they are not a *Sovereign State*, and by consequence this *Cause* is *theirs*, and not *mine*; since the *Crime* of which I am now accus'd is the acknowledging my self to have become  
*their*

their Subject during my stay here, upon their having granted me the Benefit and Protection of *Naturalization*; so that either His Majesty was much mistaken in calling the *French* that are Naturalized His Subjects; or it can be no Crime in me to have owned my self to have become a *Temporary Subject* to the States.

And if those who have studied the *Roman Law* will reflect a little on the Effects that belonged to the (*Jus Civitatis*) or the Rights that followed on the being made a *Roman Citizen*, which are the same in all Sovereign States, and that *Naturalization* is with regard to a Prince or State that which *Adoption* was by the *Roman Law* with regard to private Families, they will see that my Enemies do not reflect enough on the Principles of Law, when they pretend to make me a Criminal upon such an account. If I had been charged for having desired to be Naturalized, I confess there had been some more Colour for it: but since it is now a received Practice over all Europe, for the Subjects of one State to procure their being Naturalized in another; it is unaccountable how any can call in question that tye of *Allegiance*, that he who is Naturalized owes to his New Masters. Nor have my Enemies considered how much this way of Proceeding against me, must sink the Credit of His Majesties Naturalizing Strangers: For how can they expect a constant Protection from him, if it is made apparent that the King does not think he has a right to their Allegiance? And into what a Consternation must it throw them, when they find by my Case that the King looks upon them as so many Traitors for becoming his Subjects, and for swearing Allegiance to him? For that Oath is sworn in terms that are plain and full, and that have not the Qualification that I put in my words, of *during my stay here*; so that they are much more Criminal than it can be pretended that I am.

The other Article is no less Injurious to His Majesty, since they would make a Crime out of my Words, that mention my Fear that he may be displeas'd at some things that may be in the Apology, that I will be oblig'd to make for my self, to the Writing and Printing of which a Sentence against me will drive me. If these Men, who have advis'd this, had the regard to his Majesty, which they owe him, they would not  
have

have presumed to infer, that it was a Threatning of His Majesty, when I say, that I must justify my self; or that any History of past Transactions can be a want of Duty to him; this Consequence of theirs intimates that his Life, or the late King his Brothers, cannot bear a true History, otherwise where is the threatning? But how great a Crime this is, will I hope appear to His Majesty, when he has the leisure to reflect upon it; yet there may be many particulars that I must necessarily bring in, in the History that I am writing, which have such a Connexion with what relates to my self, that I cannot pass them by; which yet if it could be avoided, may not be fit for publick View. Now if my Enemies fancy, that it is a Crime for me to justify my self, because they have possessed His Majesty against me; I could answer this with some famed sayings of Tacitus's, that would disturb them a little; and if in an humble Groan that I make before His Majesty, I mention this as a Consideration that may be of some weight with him; they who can turn this Expression of my Duty and Respect into a Crime, and are successful in the Attempt, have a Talent for which I do not envy them, tho' I my self come to feel the weight of it.

At the Hague the 27. of  
June, Old St. 1687.

GILBERT BURNET.

Dr.

Dr. BURNET's *Vindication of Himself from the Calumnies with which he is aspersed, In a Pamphlet, entituled, Parliamentum Pacificum. Licensed by the Earl of Sunderland, and Printed at London in March, 1688.*

A Silence for so many Months, in which my Name has been so much tossed in Libels, as well as in Gazettes, has shewed the World, with how much uneasiness I am drawn to say any thing in my own Defence, when so *sacred a Name* has been made use of to give an Authority to what has been said or done against me: A Christian cannot fail when he goes by so Divine a Pattern as our Saviour himself has set the World. He, when he was accused, for a great while *answered not a word*; yet at last being required to do it by the High Priest, he spoke for himself: *But when he was reviled, he reviled not again.*

In an humble Imitation of that Example, as I will return no reviling Words, for all those that are so liberally thrown out upon me; so the Justifying of my self, being now become an Apology for the Protection that is granted me by the States of *Holland*, (whose Subject I am) as well as for my self, I am in some sort forced again to appear in my own Defence. If this Pamphlet had not carried such a License as it has in its Front; and if the *States* had not been worse used in it, than I my self am, I had passed over all the Malice that is in it, with the same Silence that I have shewed on other occasions. But it being judged necessary that I should plead my own Cause a little, since the *Protection* that the *States* give me, has made it now likewise theirs, and that it may appear that they have no just Reason to be ashamed of me, I shall Answer all that relates to my self, except the foul Language that is in it. But I will repeat nothing that was in the *Paper* that I publisht last *June*: in  
which

which I set down the first *Citation*, together with the *Answer* that I made to it, and my Letters to the Earl of *Middletoune*, together with some Reflections upon the whole Matter; so I offer this only as a Supplement to that Paper.

I will begin with setting down the second *Citation*, after I have made this short Remark on the first, That those very Persons, for conversing with whom, I was accused in it, being now pardoned, and in *Scotland*, the Government *there*, has a sure means in their hands, to know the Falshood of that Accusation: so that those who offered those Informations against me, which gave the rise to all that has since followed, ought to be lookt on as *Calumniators*, and to be punished accordingly: and if any ill chosen Expression had fallen from me in the Letter that I writ to the Earl of *Middletoune*, the Privacy of the Letter, the Respect that was in it, and the Provocation that drew it from me, (an Accusation of High Treason, which is now evidently made out to be a Calumny) all these, I say, give me some reason to conclude, that if a secret Animosity of some of my Enemies that have abused their Credit with the King to my Prejudice, had not wrought more than a regard to *Justice*, there had not been a second Prosecution, when the first was found to be so ill grounded, that they were forced to let it fall. The *Citation* is in these Words.

**J**AMES by the Grace of God King of Great Britain, France and Ireland, Defender of the Faith: To our Lovits, Heralds, Pursebants, Maces and Messre at armes conjunctly and severally specially Constitute Greeting. Forasmuch as it is humbly meant et Complained to us be our right trusty and familiar Councellour Sir John Dalrymple the younger of Stair our Advocat for our Interest Upon Doctor Gilbert Burnet, That wher by the Common Law, by the Acts of Parliament, and the municipall Lawes of this Kingdom, the declyning or impugning our Soberaign Authority, or putting

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Treason.

Treasonable Limitations upon the Prerogatives of our Crown, upon the native Allegiance due by any of our Subjects born Scots men, whether residing within our Dominions or not, are declared to be High Treason, and punishable by the Pains due and determined in the Law for Treason. Nevertheless it is of verity, That Doctor Gilbert Burnet, who is a Scotsman by Birth and Education, being cited at the Peir and Shoar of Leith at the instance of our Advocat for several Treasonable Crimes to underly the Law by vertue of particular Command from us direct to the Lords of our Privy Council, and ane Act of our said Privy Council hereupon ordering our Advocat to Intent the Proces: Instead of appeiring before the Lords of Justiciary Doctor Gilbert Burnet did write and subscribe a Letter dated at the Hague the third day of May last directed for the Earl of Middletoun one of our principal Secretaries of State for our Kingdom of England: In the which the said Doctor shows that in respect the Affairs of the United Provinces falls to his Lordships Share in the Ministry; Therefore he makes the following Addresse to his Lordship, and by him to us, and gives ane accompt that he is certiozat of the Proces of Treason execute against him at the instance of our Advocat: And for answer thereto the Doctor Writes, that he hes been threeteen years out of the Kingdom of Scotland, and that he is now upon the point of Marrying in the Netherlands, and that he is Naturalized by the States of Holland, and that thereby during his stay there, his Allegiance is translated from

us to the Sovereignty of the Province of Holland; and in the end of his Letter he Certifies, that if this decly natur be not taken of his hand to list the Proces, he will appeir in Print in his own Defence, and will not so far betray his own Innocence as to suffer a thing of that nature to pass upon him, In which he will make a recital of Affairs that hes passed these twenty years, and a vast number of particulars which he believes will be displeasing to us: and therfor desires that he may not be forced to it, which is a direct declyning of our Authority, denyng of his Allegiance to us, and asserting that his Allegiance is translated from us to the Sovereignty of the States of Holland, And a threating us to expose, traduce, disparage and bely our Government, and the public Actings for twenty years past: Tho he acknowledges it will be displeasing to us, Yet by a most Indiscret and Disloyal Insolence he threatens to do it in contempt, Except forsooth we will acquiesse and suffer the derly natur of our Royall Authorite, and pass from the Proces, as having no Allegiance due to us from the Doctor, &c.

After this follows the form of Law ordinary in such Citations, by which I am required to appear on the 9th day of August, in order to my Tryal, which was to be six days after that, under the Pains of being declared a Rebel, and a Fugitive; and all bears date the 10th of June, 1687.

I shall offer only two Exceptions to this, in point of Form; 1st, there is no *Special Law* set forth here, upon which I am to be Judged; which, as I am informed by those who understand the *Law of Scotland*; makes the Citation null in point of Form,

since *High Treason* is a Crime of such a Nature, that no Man can be concluded Guilty of it, but upon a special Law. 2<sup>dly</sup>, In Criminal matters, no Proofs of any Writing upon the Similitude of Hands, are so much as admitted by the Law of *Scotland*; so that all such Proofs are only General Presumptions; and therefore, since there is no other Proof that can be pretended in this case; it is not possible according to the grounds and practice of the *Scottish* Law, to find me Guilty upon this Citation. Upon my not appearance on the 9<sup>th</sup> day of *August*, the matter was for some time delayed. At last a *Writ* was issued out against me, called in the Law of *Scotland*, *Letters of Horning*, because they are published with the blast of a *Horn*; in which I am declared the *King's Rebel*; but this is not issued out upon the account of the *Matter* of the Citation, of which no Cognizance has been taken: But only for my not appearance to offer my self to *Trial*; and the Operation of this in Law, is only the putting me out of the *King's Protection*, and the present Seizing on my personal Estate, and after a year, the Seizing any thing that I enjoy for *Term of Life*; but this *Writ* does neither affect my *Life*, nor my *Posterity*, nor can an *Estate of Inheritance* be so much as *Confiscated* by it; and tho the term *Rebel* is put in it, that word is only a *Form of Law*; for every man that does not pay his Debts is liable to such a *Writ*, and he is declared the *King's Rebel*, just as the *Chancery* in *England* issues out a *Writ of Rebellion* upon Contempts; so that if the being called a *Rebel* in such a *Writ*, gives the Government a right to demand me, then every Man that retires into *Holland*, either out of *England* or *Scotland*, upon the account of a disorder in his Affairs, may be demanded as soon as any such *Writ* goes out against him.

As for the matter of this *Citation*, I said so much upon it in my former *Paper*, that since no Answer has been made to that, I do not think it necessary to say any more than what will occur to me in the account of the Progress of this Affair. Mr. d'Albeville his Majesties Envoy, did in the Month of *July* last, put in a *Memorial* against me, which being already in *Print*, I shall only offer here the abstract of it. In the *Preamble* it sets forth, That whereas I had obtained *Letters of Burghership* in the *Town of Amsterdam*: In the *Virtue* thereof, these *Letters* being presented.



presented to the States of Holland, by the said Town, I had obtained the Protection of the States: with which I was not satisfied, but by my Libels I defamed the King and his Government: of which it offered two Instances: one, that I represented myself as Persecuted upon the account of Religion: which was so false, that all Religions were tolerated by the King. The other was, that I pretended that my life was in danger: for which, If I had any grounds, I ought to have represented it to the King's Ministers in England; or to his Minister here: and that it was Notorious that the greatest of all Criminals were in safety here, for fear to draw upon themselves his Majesties displeasure: who abhors such practices, tho by the King's Laws every one of his subjects was warranted to seize on them here, in what manner soever. Upon all which it concluded, That the States ought to punish both me and my Printer, without naming him.

I hope I may without being wanting to the respect due to his Character, make some observations on this. It is well known, that I was never made *Burges*s of Amsterdam; so that all the Preamble falls; and it appears, that the *Envoy* has not taken the pains that forraign Ministers ordinarily do, to be rightly informed of this matter, when he began to move in it. I applied myself immediately to the *States of Holland*, in order to my being *Naturalized*, and in my Petition I set forth the Reason of it, which ever since *Solons Laws*, has been thought the justest ground for it, and that was a *Marriage*, and this was no pretended colour, for I was contracted the same day. I had lived before that, a year at the *Hague*, and I saw clearly a storm coming upon me, yet I had used no precaution to cover my self from it: but when a *Marriage* and a settlement in *Holland*, made it necessary for me to desire the Rights and Priviledges of the Countrey, it cannot be thought strange if I petitioned for it: and the *States*, who know how long I had both lived and preached publickly at the *Hague*, under the eyes of two of the Kings Ministers, one after another, saw no sort of reason, so much as to deliberate upon my petition, but granted it to me as a *thing of course*: As for the matter that His Majesties *Envoy* objected to me, I said nothing in the paper I printed but what plainly contradicts the first point: my words relating to it are, *that it is yet too early to set on a persecut on for matters of Religion, and therefore Crimes against the State must be pretended and fastned on those whom these men intend to destroy.*

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Now it is plain, that by *these men*, I intend *those* who had Informed against me, the matters that are in the first *Citation*; and that being let fall as a *Calumny*, too gross to be any longer supported, I had all reason to pass that censure on *these men*. But these words cannot be supposed to have any relation to the *King*, unless in that part of them, that it is yet *too early to Persecute for matters of Religion*, which import that *my Enemies* dare not attempt to carry his Majesty to that; so that this period in my paper is evidently contrary to the Inference that is drawn from it.

The 2d point is no better grounded: since I published nothing relating to the *Danger* in which I *was*, but my *Letters* to the Earl of *Middleton*; so that I had begun my *Complaints* to him, but I was never encouraged to go to the naming of particulars. As for that period, that the *greatest of Criminals* are here *safe from such Attempts*, for fear of drawing upon themselves the *King's displeasure*: (*de peur de s'attirer*) certainly the *Envoy* was in haste, when he drew it, for the want of a *clear sense* in it, is such, that it cannot be carried off by an Ignorance of the *French tongue*, since sure those *Criminals* are not afraid to *Draw upon themselves the King's displeasure* by attempting on themselves. So that some such words as these (*all his Majesties good subjects avoiding such practices, for fear of drawing upon themselves his Displeasure*) must be supposed to make the period *Clear sense*. But if I had any apprehensions of *Danger* before this *Memorial*, they are justly increased by it; since the *Envoy* concludes the paragraph, by saying, *that every one of the King's subjects were warranted by his Laws to seize on such here in what manner soever* (*à s'y emparer en quelque maniere que ce soit*) *in what manner soever* does always, on such occasions, signify either *Dead or Alive*. Now when the *Kings Envoy* did in a *Memorial* to the *States*, which was afterwards *printed*, assert that this was *Law*; It is easy to Infer from hence, what just apprehensions this might suggest to me. As for his desire to have me *Punished* for that *Libel*; he did in that *Appeal* which he made to the *Justice of the States*, acknowledge me to be their *Subject*: but if I have by printing of that or any other Paper, made my self liable to the punishment of the *States*, the *Complaint* ought to have been made in the form of *Law*, to the *Court of Holland*, as it would be in *England* to  
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the *Kings Bench*, since the *States* themselves do not enter into the prosecutions of *Justice*, and to that *Court* I most humbly submit my self, and acknowledg, that if I cannot justify my self of every thing that can be laid to my Charge, they ought to punish me with the utmost severity of *Justice*. Since a man of my *Profession*, as he ought to be an *Example* for his good behaviour, so he ought to be made an *Example* of *Justice*, when he brings himself within the compass of the Law.

This was the first step that was made in my affair, which lay in this state till the *Envoy's* return from *England* in *December* last; upon which he gave in a long Memorial, of which I was made one Article. He set forth, that I being now Judged a *Rebel* and *Fugitive* in *Scotland*, the *States* were bound to deliver me up, or to banish me out of their *Dominions*, and so he demanded that this might be executed. Upon this I was called before some of the *Deputies* of the *States*: and both the *Envoys Memorials* being read to me, I was required to offer what I had to say upon them. I could not but first take notice of the great difference that was between them: The first complaining of me as a *subject* of the *States*, and demanding that I might be punished by them; and the second demanding me as the *King's Subject*. To the first, I answered according to the *Reflections* that I have already mentioned. To the second, I said, I could not be a *Fugitive*, since I had come out of *Scotland* fourteen years ago, and after eleven years stay in *England*, had come out of it three years ago by the *King's leave*. As for my being a *Rebel*; I could answer nothing to that, till I saw the Judgment that had passed upon me: but I was now the *Subject* of the *States*, and as I humbly claimed their *Protection*, so I pretended to no *Protection* against *Justice*: but offered my self to a *Trial*, if any thing was laid to my charge. This being reported to the *States of Holland*, they were so far satisfied with my Answer, that the substance of it was put in the form of an *Answer* to the two *Memorials*: The whole amounts to this, that I was become their *subject* by being naturalized before this process was begun against me: so that I am now under their *Protection*: But if there is any thing to be objected to me, that can bear a *Trial*, they will give order that full and speedy *Justice* shall be done upon it, in the *Court* of *Holland*.

Upon this a 3d Memorial was given in, to which the *Articles*

cles of the *Treaty* between the *King* and the *States*, were annexed, relating to *Fugitives* and *Rebels*; and it was said in it, that the *States* were bound to execute these with relation to me, without taking upon them to examine the grounds upon which the sentence was past. And because here lies the strength of the whole matter, I shall offer such Considerations upon it, as will, I hope satisfy all persons. 1. No Sentence is either passed or produced against me; for I am not declared by any Judgment either Rebel or Fugitive; and by the 7th Article all *Condemnations* ought to be notified by *publick and Authentical letters*: which must be understood of a *Record of the sentence*, that ought to be produced: whereas there is nothing shewed in my case but only a *Memorial*. 2. All *Treaties*, especially in the *odious parts* of them, are to be understood according to the common acceptance of the terms contained in them, and not according to the particular forms of any Courts of Justice; the common acceptance of *Fugitive*, is a man that flies away after a crime committed, from the prosecution of Justice; and a *Rebel* in the common acceptance, is a man that has born Arms against his Prince: since then I am not so much as charged with either of these, I cannot be comprehended in the Article of the *Treaty*; for this must be the only sense, according to which the *States* are bound to deny harbour to Declared *Rebels and Fugitives*. 3. That which puts an end to the whole matter is, that before I writ that Letter, upon which I am now prosecuted; I was become a *Subject of the States*, and by Consequence was no more in a Capacity to be either the *King's Rebel or Fugitive*. And the point of *Naturalizing Strangers*, is now such an universal Practice, that the right of granting it, is inseparable from *Sovereign Power*: so that either the *States* have this Right, or they are no more a *Free and Sovereign State*. And the obligations of honour that all *Sovereigns* come under to protect those whom they *naturalize*, against every thing but their own Justice, is no dark point of Law, but is that which every *Prince* knows and practices as oft as there is occasion for it. The *King of France* has used all the *Naturalized Strangers* in the same manner that he has used his own subjects in the point of *Religion*: and tho the *French Protestants*, that are gone into *England*, are according to the severity of the *Edicts* passed

passed against them, made *Criminals* for flying out of that Kingdom; so that according to the Letter of those *Edicts* they are *Fugitives*, yet the King has received them all, owned them for his Subjects, *naturalised* some, and supplied others of them, by a Bounty truly worthy of so great a *Prince*; and if the King does this to those of another *Religion*, that do fly out of the Dominions of a *Prince*, with whom he is in peace, The *States* could not with any colour of reason, refuse to *Naturalise* me who am of their own *Religion*, when after so long a stay among them, it appeared that the King had nothing to lay to my charge; and they having *Naturalised* me, if they should withdraw their Protection, before I had forfeited it by any illegal Action of mine, they should make a Breach upon the *Publick Liberty*, upon which their Government is chiefly founded. And it is to be observed, that the *Treaty* between the King and them, as to the Articles concerning *Rebels* and *Fugitives*, is *Reciprocal*; as all the Ancient *Treaties* between the *Crown of England*, and the *Princes* of these *Provinces*, before the formation of the *Commonwealth*, ever were as to this particular; so that they can be no more bound to the King by it, than the King is bound to them. Now let us suppose that the King *Naturalises* a *Dutchman*, by which he is admitted to all the Priviledges of an *Englishman*; if the *Dutch* should after that condemn this person, as guilty of *Rebellion*, the King could not upon the *States* demanding of him, deliver him up or banish him at his pleasure, since this cannot be done arbitrarily to any *Englishman*, without a *legal tryal* by his *Peers*; and therefore it is plain that my case does not at all fall within the Articles of the *Treaty*; so that in this whole matter the *States* have acted as a free State, that was careful to maintain its *Honour*, and to assert its being an *Independent Sovereignty*: and for my own part, I can appeal to all the Members of the *States of Holland*, if I made any applications to them, as if I would value my self on my being supported in opposition to the *Envoy's Memorial*; I staid at home, while the thing was under consultation, without making *Addresses* to any one of them as to my own particular. It is true, I would not withdraw of my own accord, from my own house, which I thought would have been a forsaking the Rights of the Countrey, a mistrusting the Protection of my *Sovereigns*, as well as my own Innocence.

and an abandoning of the *post* in which God by his Providence has placed me. And I am resolved rather to run the risque of all *that* with which I am threatned, than show the least unbecoming fear. I thank God I make use of that common but Noble expression, that *I am neither afraid to dye, nor ashamed to live.* I will not go further into dark thoughts, tho I know enough of of the contrivances against me, by an *order of men*, whose souls are as black as their Habits. Tho for a great while I thought that the meanness of my person was such, that even success in any design against me could not have counterballanced the Infamy of it.

Thus I hope those hard words of *high treason* or *Rebellion* will make no impressions on any to my prejudice: for it is with them, as with *Blasphemy* or *Heresy* which are very odious words; but if mens passions carry them to apply these to the most Innocent things, they lose that force which is in them, and this will make the ancient observation return into mens minds, that *Treason* was become the crime of those (*qui ab omni crimine innocui erant*) who were free from all *crimes*: so when all this prosecution is so slightly founded, I make no doubt the world will do me Justice in it; and I can as little doubt, that if my cause could be so fairly represented to His Majesty, that he might see it without those false colours with which the Malice of my Enemies darken it. He who has of *late* shewed a disposition to receive even into his favour those who were formerly esteemed, both his *Fathers*. Enemies, his *Brothers* and his *own*, would return to juster and softer thoughts of me. For since I have done nothing that deserves his *displeasure*, it would be a greater crime, than any of which I stand accused, to think that it would be lasting.

This *Author* lays several *Papers* to my charge, but he does not prove that they were writ by me: and I do not think myself obliged to satisfy every spiteful man, that will fasten all such things upon me, as he thinks will render me *odious*. I did solemnly purge myself of the matters laid to my charge in the first *Citation*: but I said then, that I would not give my Enemies the satisfaction of doing *that* any more; or of clearing myself, as oft as they should think fit to lay any thing to my charge; so when there is any thing brought against me in a legal way, I make no doubt but that I shall be able either to *clear my self of it*, or

to justify my self in it; But since this Author thought fit to fasten so many Papers on me which I have not owned, he should in common equity and decency, have taken some notice of a *Discourse* which I have owned: and that was my *Preface to LaEran-tius's book of the Death of the Persecutors*; in which I pleaded against Persecution; perhaps with more force than most of those who have of late undertaken the Argument: I carried the point so far, as to include even the *Papists*, in that *General Toleration* which I recommended. This I had writ before either the King's *Declaration* appeared, or that the proceedings against me were begun; but tho the state of *Affairs* with relation to my self, was upon that altered, and the point was so tender, that I had reason to apprehend it might offend many of my *Brethren* and *best Friends*, at a time when I had no Reason to make *Enemies* to my self; yet I published it, without altering it in any one thing. In the circumstances in which I was, I could do nothing more to shew how far I was from desiring to Imbroil matters, than when I touched so nice a matter, with so much plainness. As for all the other Reproaches with which he pursues me, I think it below me to answer such a Scribler; but for the sake of the *License*, I take the liberty to say, That I am not afraid, neither of the *Calumnies*, nor the *Violences* of my Enemies. I lived many Years in *England* under a great deal of displeasure from the *Court*, and yet there never was found the least appearance of any *Guilt* in me, with relation to the *Government*. Many of my friends have had *pardons*, and by consequence did very probably discover all they knew of me: for I have been credibly Informed that many have been Interrogated, and some under *Torture* with relation to me: but there never appeared the least shadow of a guilty Compliance with ill Principles: not only was I free from accession to *ill things*, I was free also even from faults of *Omission*, with relation to the *Publick*; for I never failed as oft as I saw the least occasion for it, to bear down all things that tended to disturb the *Publick Peace*, and this both in *Books*, in *Sermons*, and in *private Conversation*: and I have Compurgators in this matter, that are beyond exception, as well as above Scandal. I do not carry this matter further; tho I could say that which might cover all my Enemies with *Shame*: and which will perhaps appear to their

amusement when they may have put an end to my being in this world.

I have ever gone by the Principles in which I was bred up at first, under a Father that from first to last, adhered to the *King's Cause*, without so much as one stumble, or making even an Address of Civility to his Enemies: but was as much an Enemy to *Arbitrary Power*, as he was to *Rebellion*, and thought it was as base and unwarrantable a thing, for *Subjects* to give up their just and legal *Rights*, as it was for them to fly out upon every pretended violation of them. In these Principles I have fortified my self, by study and observation; and I may *Love* them, for they have stood me very *Dear*. I went no further than to assert an *Obedience* and *submission* according to *law*, when I was Employed to assert the *Laws of Scotland*, against those who studied to overturn them, in which it was thought I did the Government some service, and for which the late *King* was pleased to thank me. It is true, I never could descend to the Methods of aspiring to *Preferment* that are expected in some *Courts*: but if this made some look on me as *sullen* or *affected*, yet it might have freed me from the Imputations of being *Malecontent*, when there are many *Vouchers* for me, who know that I avoided all *Preferment* as *Industriously*, as the most ambitious do court it. I came under ill Characters both in the *Court*, and elsewhere, because first and last I was always against the *Prosecutions of the Dissenters*: and I always thought that greater endeavours ought to have been used for the Composing of the small Differences among our selves, and that greater gentleness ought to be expressed even to those who could not be brought within any terms of reconciliation. These were my only *Crimes* and *Heresies*; and for these Opinions I was represented as a favourer of the *Kings* and the *Churches* Enemies. And therefore it cannot but seem strange, that I, who was hardly used upon those accounts, should be now singled out to be the chief Instance of an unrelenting severity. The designs against my *Person* seem not enough to satisfy that *Malice* that works so quick against me, but they must lash out on my *good name*, and my Reputation, which I confess is the greater trial of the two to my *Patience*: but tho' with relation to *God* I must lay my hand on my mouth, and say, that *I am the Chief of sinners*; yet as to all men.



men, I may boldly say, *What have I done?* I hope God will not lay to the Charge of my Enemies, all those Slanders, and all that Injustice with which they have profecuted me.

This Author and some others have often given it out, as if I had *Betrayed a Master*; and I may expect the next time, that they will say, that I *Murdered my Father*; for the one is as true as the other. I never had a *Master* but the *King*, for the whole course of my Life raised me above the *serv'ing of any Subject*. A design proposed to me, by one that is now Dead, and therefore shall not be named by me, of bringing in an *Army* out of *Scotland*, for the Spoiling and Subduing of *England*, gave me a just horror at the Proposition, and I did all I could to withstand it. The same *great Person* did quickly take up such a Jealousy of me, that he did all he could to ruin me, tho His present Majesty, who had then the *Goodness* for me to endeavour to Pacify him, owned to me that he could see nothing in his hatred of me, but a violent Passion: Yet he was resolved to throw me in a Prison, where very probably I had languished away the rest of my Life, if the *King* that now is, had not been so gracious to me, as to warn me of my Danger, which made me leave *Scotland*; and after I had suffered near two years, all that *Wrath* armed with *Power*, could do to me; at last, while I was under one of the sharp effects of that great Minister's anger, I told a Person of Honour that which I believed was one of the grounds of it. The Gentleman set this so about, that as he himself was a Member of the *House of Commons*, so it was known to a great many others; upon which I was sent for by the *House*; I declined for four several times, to say what had been proposed to me; and at last, being threatned to be profecuted by the *House of Commons*, as an *Enemy to the Nation*, I was thus unwillingly brought to own it. But that *Great Man* fell no sooner under an Eclipse of Favour, then tho I had felt the weight of his *Credit* for seven years together, I made not only all the steps necessary for a Reconciliation, but I engaged some then in *Favour*, so far into his Interests, that he expressed a very thankful acknowledgment of it, and a perfect Reconciliation with me: Tho upon some Reasons of his own, our Meeting was not thought convenient; and his own *Nephew*, who being now of the *Roman* Communion, is a Witness,

ness, to whom I may the more freely appeal, brought me very kind Messages from him, and signified them to me after his Death.

As for all the other things that can be objected to me, I pass them over, as things which can very little hurt me. The Author it seems pities *Parilla's* defeated Condition, who as my Friends from *Paris* write to me, does not so much as pretend to justify himself of all those gross Errors of which I have discovered him *Guilty*; but says, he has received an Order from the King, to insist no more in the Dispute in which he and I were engaged. Our Author will be a very fit Person to succeed to that *Despicable Writer*; who fancies that I contradict my self, in setting forth *Q. Maria's Clemency* in one place, and yet shewing in another, how *Unmerciful* she shewed her self towards those that were condemned of *Heresy*. The best Natures in the World can be corrupted by a false Religion; and they being once possessed with cruel Principles, the more Pious they are, they will be the more true to the Doctrines of their Church, and by consequence, they will execute all its severe Decrees with an unrelenting Rigour. And we have clear Instances of this in the Age in which we live, of *Princes* whose Inclinations to *Clemency*, are as well known as the Severities to which the Credit of the *Society* has carried them are *Deplorable*.

There is another spiteful Insinuation with which I shall conclude my *Apology*: This Author finding that the *Matters of State*, of which he had accused me, were not like to Blemish me much, resolved to try what he could do in a Subject of another Nature, which was indeed above him; for tho' it seems he is entertained to Scribble upon the Politicks, yet the matters of Divinity probably do not lie within his Province; but it seems he thought that any thing was to be ventured on that might Defame me. He represents me as an Enemy to the *Divinity of Jesus Christ*, because of the various readings of a verse in *St. John's Epistle*, that I gave from some *Ancient Manuscripts*, which I saw in my *Travels*. And these men who have of late studied to make all the World either *Deists* or *Socinians*, if they cannot make them *Papists*, by representing that, unless we believe the *Infallibility of the Church*, we cannot upon good grounds believe

believe either the *Christian Religion*, or the *Mysteries of it*, and this with so much Heat and Industry, as if their design were to have us to be any thing rather than *Protestants*; yet will accuse some of our Church of those Doctrines, against which we have writ with greater force than any of our *Calumniators*. (For we have Accusers of the other side too.) All the *Fathers* that writ against the *Arians*, believed those Mysteries, tho they never cited that Passage, from which it was reasonable to conclude, that it was not in their Bibles; otherwise it is not to be imagined, that such Men as *St. Athanasius* and *St. Augustin*, should not have mentioned it; now the many other places of Scripture, that determine me to believe the *Divinity of the Saviour of the World*, are so clear, that I believe it equally well, whether this passage be acknowledged to be genuine or not. But having for some years taken pleasure to compare *Manuscripts*, those of the Holy Scriptures were naturally the most looked into by me; and since a Man that has but a transcient View of M. SS. cannot stay to examine them in many Passages, that Passage being the most Important of all that are controverted, I turned always to it, and have given the account of what I saw sincerely, both for it and against it. For I have learned from *Job*, *not to lye for God*, since truth needs no support from falshood: And I may well forgive those of a Church, who have built so much upon *Forgeries* and *Counterfeit Pieces*, to be angry with me, for giving so sincere an account, as I did of a Matter of Fact. But that *Divine Saviour*, whom I adore daily, as *God equal with the Father*, knows the Injustice that is done me in this, as well as in the other false Accusations with which my Enemies study to blacken me: I can assure them, that I have that Detestation of all *Idolatry*, and of *theirs* in particular, that I should never adore him as I do, if I did not think him to be *by Nature God, over all, blessed for ever*.

And now to conclude, if Men will not receive this Vindication of my self, with the Justice that is due to me, I humbly commit my Cause to him, *who judges righteously*; *who sees all things*, and *who will bring to light the hidden things of dishonesty*; and who will either *compass me with his favour as with a shield*, and cover me from the rage of my Enemies; or if he lets me fall into their hands, will accept of the Sacrifice of my

my Life that I offer to him, and receive me into his Presence, where I shall be at quiet, and safe both from the *Strife of Tongues*, and from the *Pride of Man*.

GILBERT BURNET.

A Letter, containing some Remarks on the two Papers, writ by his late Majesty King Charles the Second, concerning Religion.

SIR,

I Thank you for the *Two Royal Papers* that you have sent me: I had heard of them before, but now we have them so well attested, that there is no hazard of being deceived by a false Copy: You expect that in return, I should let you know, what Impression they have made upon me. I pay all the reverence that is due to a *Crown'd Head*, even in Ashes, to which I will never be wanting: Far less am I capable of suspecting the *Royal Attestation* that accompanies them; of the truth of which I take it for granted no man doubts; but I must crave leave to tell you, that I am confident, the *late King* only Copied them, and that they are not of his composing: for as they have nothing of that *free Air*, with which he expressed himself; so there is a Contexture in them, that does not look like a *Prince*; and the beginning of the *first* shews it was the effect of a *Conversation*, and was to be communicated to another; so that I am apt to think they were composed by another, and were so well relished by the *late King*, that he thought fit to keep them, in order to his examining them more particularly; and that he was prevailed with to Copy them, lest a Paper of that Nature might have been made a Crime, if it had been found about him written by another hand: And I could name one or two Persons, who as they were able enough to compose such Papers, so had Power enough over his Spirit to engage him to Copy them, and to put themselves out of danger, by restoring the Original.

You

You ought to address your self to the *Learned Divines* of our Church, for an *Answer* to such things in them as puzzle you, and not to one that has not the Honour to be of that *Body*; and that has now carried a *Sword* for some time, and employs the *Leasure* that at any time he enjoys, rather in *Philosophical* and *Mathematical Enquiries*, than in matters of *Controversy*. There is indeed one Consideration, that determined me more easily to comply with your desires, which is, my having had the honour to *Discourse* copiously of those matters with the *late King* himself; and he having proposed to me some of the *Particulars* that I find in those *Papers*; and I having said several things to him, in answer to those *Heads*, which he offered to me only as *Objections*, with which he seemed fully satisfied; I am the more willing to communicate to you, *that* which I took the *Liberty* to lay before his *late Majesty* on several occasions; the *Particulars* on which he insisted in *Discourse* with me, were the *usefulness of a Law without a Judge*, and the *necessity of an Infallible Tribunal to determine Controversies*; to which he added, *The many Sects that were in England, which seemed to be a necessary consequence of the Liberty that every one took to interpret the Scriptures: and he often repeated that of the Church of England's arguing, from the obligation to obey the Church, against the Sectaries, which he thought was of no force, unless they allowed more Authority to the Church than they seemed willing to admit in their Disputes with the Church of Rome.* But upon this whole Matter I will offer you some *Reflections*, that will, I hope, be of as great weight with you, as they are with my self.

I. All *Arguments* that prove upon such general Considerations, That there ought to be an *Infallible Judge* named by *Christ*, and clothed with his *Authority*, signifie nothing, unless it can be shewed us, in what *Texts of Scripture* that nomination is to be found; and till that is shewed, they are only *Arguments* brought to prove that *Christ* ought to have done somewhat that he has not done. So these are in effect so many *Arguments* against *Christ*, unless, it appears that he has authorized such a *Judge*: therefore the right way to end this dispute, is, to shew where such a *Constitution* is authorized: So that the most that can be made of this is, that it amounts to a *favourable presumption*.

II. It is a very unreasonable thing for us to form *Presumptions*,

of what *is*, or *ought to be*, from Inconveniences that do arise, in case that such things are not: for we may carry this so far, that it will not be easie to stop it. It seems more suitable to the infinite Goodness of *God*, to communicate the knowledge of himself to all Mankind, and to furnish every Man with such assistances as will certainly prevail over him. It seems also reasonable to think, that so perfect a Saviour as *Jesus Christ* was, should have shewed us a *certain Way*, and yet consistent with the *free Use of our Faculties*, of avoiding all *sin*: nor is it very easie to imagine, that it should be a reproach on his *Gospel*, if there is not an *Infallible Preservative* against *Error*, when it is acknowledged, that there is *no infallible Preservative against Sin*: for it is certain, that the one Damns us more *Infallibly* than the other.

III. Since *Presumptions* are so much insisted on, to prove what things must be appointed by *Christ*; it is to be considered, that it is also a reasonable *Presumption*, that if such a *Court* was appointed by him, it must be done in such plain terms that there can be no room to question the meaning of them; and since this is the hinge upon which all other matters turn, it ought to be expressed so particularly, in *whom* it is vested, that there should be no occasion given to dispute, whether it is in *One Man* or in *A Body*; and if in a *body*, whether in the *Majority*, or in the two thirds, or in the whole *Body* unanimously agreeing: in short, the Chief thing in all Governments being the *Nature and Power* of the *Judges*, those are always distinctly specified; and therefore if these things are not specified in the *Scriptures*, it is at least a strong *Presumption* that *Christ* did not intend to *authorize* such *Judges*.

IV. There were several *Controversies* raised among the *Churches* to which the *Apostles* writ, as appears by the *Epistles* to the *Romans*, *Corinthians*, *Galatians* and *Colossians*, yet the *Apostles* never make use of those passages that are pretended for this *Authority*, to put an end to those *Controversies*; which is a shrewd *Presumption*, that they did not understand them in that sense in which the *Church of Rome* does now take them. Nor does *St. Paul* in the directions that he gives to *Church-men* in his *Epistles* to *Timothy* and *Titus*, reckon this of *submitting to the directions of the Church* for one, which he could not have om-

mitted, if this be the true meaning of those disputed passages ; and yet he has not one word sounding that way, which is very different from the directions which one possessed with the present view that the Church of Rome has of this matter, must needs have given.

V. There are some things very expressly taught in the *New Testament*, such as the *rules of a Good Life*, the *Use of the Sacraments*, the *addressing our selves to God for Mercy and Grace*, through the Sacrifice that Christ offered for us on the Cross, and the *Worshipping him as God*, the *Death*, *Resurrection* and *Ascension of Jesus Christ*, the *Resurrection of our Bodies*, and *Life Everlasting*, by which it is apparent, that we are set beyond doubt in those matters ; if then there are other passages more obscure concerning other matters, we must Conclude, that these are not of that Consequence, otherwise they would have been as plainly revealed as the others are ; but above all, if the *Authority of the Church* is delivered to us in *disputable terms*, that is a just prejudice against it, since it is a thing of such Consequence, that it ought to have been revealed in a way so very clear and past all dispute.

VI. If it is a presumption for *particular persons* to judge concerning *Religion*, which must be still referred to the *Priests* and other *Guides* in sacred matters ; this is a good Argument to oblige all *Nations* to continue in the *Established Religion*, whatever it may happen to be ; and above all others, it was a convincing Argument in the mouths of the *Jews* against our *Saviour*. He pretended to be the *Messias*, and proved it both by the *prophecies* that were accomplished in him, and by the *Miracles* that he wrought : as for the *Prophecies*, the *Reasons* urged by the Church of *Rome* will conclude much stronger, that such dark Passages as those of the *Prophets* were, ought not to be interpreted by *Particular persons*, but that the *Exposition* of these must be referred to the *Priests* and *Sanbedrin*, it being expressly provided in their law (*Deut. 17. 8.*) *That when controversies arose, concerning any cause that was too intricate, they were to go to the place which God should choose, and to the Priests of the tribe of Levi, and to the judge in those days, and that they were to declare what was right, and to their decision all were obliged to submit, under pain of death* : so that by this it appears, that the

*Priests* in the *Jewish Religion* were authorized in so extraordinary a manner, that I dare say the Church of *Rome* would not wish for a more formal Testimony on her behalf: As for our *Saviour's Miracles*, these were not sufficient neither, unless his doctrine was first found to be good: since *Moses* had expressly warned the People (*Deut. 13. 1.*) That if a Prophet came and taught them to follow after other Gods, they were not to obey him, tho he wrought miracles to prove his Mission, but were to put him to death: So a *Jew* saying, that *Christ*, by making himself one with his father, brought in the worship of another God, might well pretend that he was not obliged to yield to the authority of our *Saviour's Miracles*, without taking cognizance of his doctrine, and of the Prophecies concerning the *Messias*, and in a word, of the whole matter. So that, if these Reasonings are now good against the Reformation, they were as strong in the mouths of the *Jews* against our *Saviour*; and from hence we see, that the authority that seems to be given by *Moses* to the *Priests*, must be understood with some Restrictions; since we not only find the Prophets, and *Jeremy* in particular, opposing themselves to the whole body of them, but we see likewise, that for some considerable time before our *Saviour's* days, not only many ill grounded traditions had got in among them, by which the vigour of the moral law was much enervated; but likewise they were also universally possessed with a false notion of their *Messias*; so that even the *Apostles* themselves had not quite shaken off those Prejudices at the time of our *Saviour's Ascension*. So that here a Church, that was still the Church of God, that had the appointed means of the Expiation of their sins, by their *Sacrifices* and *Washings*, as well as by their *Circumcision*, was yet under great and fatal Errors, from which particular persons had no way to extricate themselves, but by examining the Doctrine and texts of *Scripture*, and by judging of them according to the Evidence of Truth, and the force and freedom of their Faculties.

VII. It seems Evident, that the passage [ *Tell the Church* ] belongs only to the Reconciling of Differences, that of [ *Binding and of Loosing* ] according to the use of those terms among the *Jews*, signifies only an Authority that was given to the *Apostles*, of giving Precepts, by which men were to be obliged to  
such



such Duties, or set at liberty from them: and [*the gates of Hell not prevailing against the Church*] signifies only, that the *Christian Religion* was never to come to an end, or to perish: and that of [*Christ's being with the Apostles to the end of the world*] imports only a special *Conduct* and *Protection* which the *Church* may always expect; but as the promise, *I will not leave thee nor forsake thee*; that belongs to every *Christian*, does not import an *infallibility*: no more does the other: And for those passages concerning [*the spirit of God that searches all things*] it is plain, that in them *St. Paul* is treating of the *Divine inspiration*, by which the *Christian Religion* was then opened to the world; which he sets in opposition to the *wisdom* or *Philosophy* of the *Greeks*; so that as all those passages come far short of proving that for which they are alledged; it must at least be acknowledged, that they have not an evidence great enough to prove so important a truth, as some would evince by them; since 'tis a matter of such vast consequence, that the proofs for it must have an undeniable Evidence.

VIII. In the matters of *Religion*, two things are to be considered; first, The *Account* that we must give to God, and the *Rewards* that we expect from him: And in this every Man must answer for the sincerity of his Heart, in examining Divine Matters; and the following, what (upon the best enquiries that one could make) appeared to be true; and with Relation to this, there is no need of a *Judg*; for in that Great Day every one must answer to God according to the Talents that he had, and all will be saved according to their Sincerity; and with Relation to that Judgment, there is no need of any other Judg but God: A second View of *Religion*, is, as it is a *Body* united together, and by consequence brought under some Regulation. And as in all *States*, there are subaltern *Judges*, in whose Decisions all must at least acquiesce, tho they are not *Infallible*, there being still a sort of an Appeal to be made to the *Soveraign*, or the *Supream Legislative Body*; so the *Church* has a Subaltern *Jurisdiction*; but as the Authority of inferior Judges is still regulated, and none but the Legislators themselves have an Authority equal to the Law: So it is not necessary for the Preservation of Peace and Order, that the *Decisions* of the *Church* should be *Infallible*, or of equal *Authority* with the *Scriptures*. If Judges do

do so manifestly abuse their Authority, that they fall into Rebellion and Treason, the Subjects are no more bound to consider them, but are obliged to resist them, and to maintain their Obedience to their Sovereign; tho in other matters their Judgment must take place, till they are reversed by the Sovereign. The case of *Religion* being then this, *That Jesus Christ is the Sovereign of the Church*; the Assembly of the *Pastors* is only a Subaltern *Judg*: If they manifestly oppose themselves to the *Scriptures* which is the *Law of Christians*, particular Persons may be supposed as competent *Judges* of that, as in Civil Matters they may be of the *Rebellion* of the *Judges*; and in that case they are bound still to maintain their Obedience to *Jesus Christ*, in matters *Indifferent*. Christians are bound for the Preservation of Peace and Unity, to acquiesce in the Decision of the *Church*, and in matters justly doubtful, or of small Consequence, tho they are convinced that the *Pastors* have erred, yet they are obliged to be Silent, and to bear tolerable things, rather than make a Breach: but if it is visible, that the *Pastors* do Rebel against the *Sovereign* of the Church, I mean *Christ*, the People may put in their Appeal to that great *Judg*, and there it must lie. If the *Church* did use this Authority with due Discretion, and the People followed the Rules that I have named with Humility and Modesty, there would be no great danger of many Divisions; but this is the great Secret of the Providence of God, that men are still men, and both *Pastors* and *People* mix their Passions and Interests so with matters of *Religion*, that there is a great deal of Sin and Vice still in the World, so that it appears in the Matters of *Religion*, as well as in other things: but the ill Consequences of this, tho they are bad enough, yet are not equal to the Effects that ignorant Superstition, and obedient Zeal have produced in the World, witness the *Rebellions* and *Wars* for establishing the *Worship of Images*, the *Croissades* against the *Saracens*, in which many Millions were lost; those against *Hereticks*, and *Princes* deposed by *Popes*, which lasted for some Ages; and the *Massacre* of *Paris*, with the *Butcheries* of the Duke of *Alva* in the last Age, and that of *Ireland* in this; which are, I suppose, far greater Mischiefs than any that can be imagined to arise out of a *small diversity of Opinion*; and the present State of this *Church*, notwithstanding all those unhappy

*Rents* that are in it, is a much more desirable thing, than the *gross Ignorance* and *blind Superstition* that reigns in *Italy* and *Spain* at this day.

IX. All these reasonings concerning the *Infallibility* of the *Church*, signify nothing, unless we can certainly know, *whither we must go for this Decision*; for while one Party shews us, that it must be in the *Pope*, or is no where; and another Party says it cannot be in the *Pope*, because as many *Popes* have erred, so this is a *Doctrine* that was not known in the *Church* for a thousand years, and that has been disputed ever since it was first asserted, we are in the right to believe both sides; *first*, that if it is not in the *Pope*, it is no where; and then, that certainly it is not in the *Pope*; and it is very *Incongruous* to say, That there is an *Infallible* Authority in the *Church*, and that yet it is not certain where one must seek for it; for the one ought to be as clear as the other; and it is also plain, that what *Primacy* soever *St. Peter* may be supposed to have had, the *Scripture* says not one word of his *Successors* at *Rome*; so at least this is not so clear, as a matter of this Consequence must have been, if *Christ* had intended to have lodged such an *Authority* in that *See*.

X. It is no less *Incongruous* to say, that this *Infallibility* is in a *General Council*; for it must be somewhere else, otherwise it will return only to the *Church* by some Starts, and after long Intervals; and as it was not in the *Church* for the first 320 years, so it has not been in the *Church* these last 120 years. It is plain also, that there is no Regulation given in the *Scriptures* concerning this great *Assembly*, who have a right to come and Vote; and what forfeits this Right, and what numbers must concur in a Decision, to assure us of the *Infallibility* of the *Judgment*. It is certain, there was never a *General Council* of all the Pastors of the *Church*; for those of which we have the *Acts*, were only the *Councils* of the *Roman Empire*; but for those *Churches* that were in the South of *Africk*, or the Eastern Parts of *Asia*, beyond the bounds of the *Roman Empire*, as they could not be summoned by the *Emperor's* Authority, so it is certain none of them were present; unless one or two of *Persia* at *Nice*, which perhaps was a Corner of *Persia* belonging to the *Empire*; and unless it can be proved, that the *Pope* has an *Absolute Authority*.

thority to cut off whole Churches from their right of coming to Councils, there has been no General Council these last 700. years in the World, ever since the Bishops of Rome have excommunicated all the Greek Churches upon such trifling Reasons, that their own Writers are now ashamed of them; and I will ask no more of a Man of a competent Understanding, to satisfy him that the Council of Trent was no General Council, acting in that Freedom that became Bishops, than that he will be at the pains to read Card. Pallavicin's History of that Council.

XI. If it is said, *That this Infallibility is to be sought for in the Tradition of the Doctrine in all Ages, and that every particular Person must examine this:* Here is a Sea before him, and instead of examining the small Book of the *New Testament*, he is involved in a Study that must cost a Man an Age to go thorow it; and many of the *Ages*, through which he carries this Enquiry, are so dark, and have produced so few Writers, at least so few are preserved to our days, that it is not possible to find out their belief. We find also *Traditions* have varied so much, that it is hard to say, that [there is much weight to be laid on this way of Conveyance. A *Tradition* concerning Matters of Fact that all People see, is less apt to fail than a *Tradition* of Points of Speculation; and yet we see very near the Age of the *Apostles*, contrary *Traditions* touching the *Observation of Easter*, from which we must conclude, that either the Matter of Fact of one side, or the other, as it was handed down, was not true, or at least, that it was not rightly understood. A *Tradition* concerning the *Use of the Sacraments*, being a visible thing, is more likely to be exact, than a Speculation concerning their Nature; and yet we find a *Tradition* of giving *Infants* the *Communion*, grounded on the indispenfible necessity of the Sacrament, continued a thousand years in the Church. A *Tradition* on which the *Christians* founded their *Joy* and *Hope*, is less like to be changed, than a more remote Speculation; and yet the first Writers of the *Christian Religion*, had a *Tradition* handed down to them by those who saw the *Apostles*, of the *Reign of Christ* for a thousand year upon Earth; and if those who had Matters at the second hand from the *Apostles*, could be thus mistaken, it is more reasonable to apprehend greater Errors at such a distance. A *Tradition* concerning the *Book* of the

*Scriptures,*

*Scriptures* is more like to be exact, than the Exposition of some Passages in it; and yet we find the *Church* did unanimously believe the *Translation* of the 70. *Interpreters* to have been the effect of a miraculous Inspiration, till St. *Jerome* examined this Matter better, and made a *New Translation* from the *Hebrew Copies*. But which is more than all the rest, it seems plain, That the *Fathers* before the *Council of Nice*, believed the *Divinity* of the *Son of God* to be in some sort *Inferior* to that of the *Father*; and for some Ages after the *Council of Nice*, they believed them indeed both equal; but they consider these as two different Beings, and only one in *Essence*, as three Men have the same humane Nature in common among them; and that as one Candle lights another, so the one flowed from another; and after the *fifth Century*, the *Doctrine of one individual Essence* was received. If you will be farther informed concerning this, *Father Petua* will satisfy you as to the first Period before the *Council of Nice*, and the Learned *Dr. Cudworth*, as to the second. In all which particulars it appears, how variable a thing *Tradition* is. And upon the whole Matter, the examining *Tradition* thus, is still a searching among Books, and here is no living *Judg*.

XII. If then the *Authority* that must decide *Controversies*, lies in the Body of the *Pastors* scattered over the World, which is the last Retrenchment; here as many and as great *Scruples* will arise, as we found in any of the former Heads. Two difficulties appear at first View, the one is, *How can we be assured that the present Pastors of the Church are derived in a just Succession from the Apostles*; there are no *Registers* extant that prove this: So that we have nothing for it but some *Histories*, that are so carelessly writ, that we find many mistakes in them in other Matters; and they are so different in the very first links of that Chain, that immediately succeeded the *Apostles*, that the utmost can be made of this, is, that here is a *Historical Relation* somewhat doubtful; but here is nothing to found our Faith on: So that if a *Succession* from the *Apostles* times, is necessary to the Constitution of that *Church*, to which we must submit our selves, we know not where to find it; besides, that the *Doctrine* of the necessity of the *Intention* of the *Minister* to the *Validity* of a *Sacrament*, throws us into inextricable difficulties. I know they

generally say, That by the *Intention* they do not mean the *inward* Acts of the Minister of the *Sacrament*, but only that it must appear by his *outward* Department, that he is in earnest going about a *Sacrament*, and not doing a thing in jest; and this appeared so reasonable to me, that I was sorry to find our *Divines* urge it too much; till turning over the *Rubricks* that are at the beginning of the *Missal*, I found upon the head of the *Intention* of the Minister, that if a *Priest* has a number of *Hosnies* before him to be consecrated, and intends to Consecrate them all, except one, in that case that vagrant Exception falls upon them all; it not being affixed to any one, and it is defined that he Consecrates none at all. Here it is plain, that the secret *Acts* of a *Priest* can defeat the *Sacrament*; so that this overthrows all certainty concerning a *Succession*: But besides all this, we are sure, that the *Greek Churches* have a much more uncontested *Succession* than the *Latins*; so that a *Succession* cannot direct us. And if it is necessary to seek out the *Doctrines* that are universally received, this is not possible for a private Man to know. So that in ignorant Countries, where there is little Study, the People have no other certainty concerning their *Religion*, but what they take from their *Curate* and *Confessor*; since they cannot examine what is generally received. So that it must be confessed that all the Arguments that are brought for the necessity of a constant *Infalible Judg*, turn against all those of the *Church of Rome*, that do not acknowledge the *Infalibility* of the *Pope*; for if he is not *Infalible*, they have no other *Judg* that can pretend to it. It were also easy to shew, That some *Doctrines* have been as universally received in some *Ages*, as they have been rejected in others; which shews, that the *Doctrine* of the present *Church* is not always a sure measure. For five *Ages* together, the *Doctrine* of the *Popes* Power to *depose Heretical Princes*, was received without the least *Opposition*; and this cannot be doubted by any that knows what has been the State of the *Church*, since the end of the *Eleventh Century*; and yet I believe few *Princes* would allow this, notwithstanding all the concurring Authority of so many *Ages* to fortify it. I could carry this into a great many other Instances, but I single out this, because it is a Point in which *Princes* are naturally extremely sensible.

Upon the whole Matter, it can never enter into my mind, that God, who has made Man a Creature, that naturally enquires and reasons, and that feels as sensible a pleasure, when he can give himself a good account of his Actions, as one that sees, does perceive in Comparison to a blind Man that is led about; and that this God, that has also made *Religion* on design to perfect this humane Nature, and to raise it to the utmost height to which it can arrive, has contrived it to be dark, and to be so much beyond the Penetration of our Faculties, that we cannot find out his mind in those things that are necessary for our Salvation; and that the *Scriptures*, that were writ by plain Men, in a very familiar Stile, and address without any Discrimination to the Vulgar, should become such an unintelligible Book in these Ages, that we must have an *Infallible Judg* to expound it; and when I see not only *Popes*, but even some Bodies that pass for *General Councils*, have so expounded many Passages of it, and have wrested them so visibly, that none of the *Modern Writers* of that *Church* pretend to excuse it: I say, I must freely own to you, that when I find I need a *Commentary* on dark Passages, these will be the last Persons to whom I will address my self for it. Thus you see how fully I have opened my mind to you in this matter: I have gone over a great deal of Ground in a few Words as is possible, because hints I know are enough for you. I thank God, these Considerations do fully satisfy me, and I will be infinitely joyed, if they have the same effect on you.

*I am yours.*

**T**His Letter came to London with the return of the first Post, after his late Majesties Papers were sent into the Country; some that saw it, liked it well, and wished to have it publick, and the rather, because the Writer did not so entirely confine himself to the Reasons that were in those Papers, but took the whole Controversy to task in a little compass, and yet with a great variety of Reflections. And this way of examining the whole Matter, without following those Papers word for word, or the finding more fault

than the common concern of this Cause required, seemed more agreeing to the Respect that is due to the Dead, and more particularly to the Memory of so great a Prince; but other Considerations made it not so easy nor so adviseable, to procure a License for the Printing this Letter, it has been kept in private Hands till now: those who have boasted much of the Shortness of the late Kings Papers, and of the Length of the Answers that have been made to them, will not find so great a Disproportion between them and this Answer to them.

*An ENQUIRY into the Reasons for Abrogating the TEST, imposed on all Members of Parliament.*

Offered by *Sa. Oxon.*

WHEN the Cardinals in Rome go abroad without *Fiocco's* on their Horses heads, it is understood that they will be then *Incognito*, and they expect nothing of that Respect which is payed them on other Occasions. So since there is no *Fiocco* at the Head of this *Discourse*, no Name nor Designation, it seems the Writer offers himself to be examined without those nice regards, that may be due to the Dignity he bears; and indeed, when a Man forgets what he is himself, it is very natural for others to do it likewise.

It is no wonder to see those of the *Roman Communion* bestir themselves, so much as they do, to be delivered from the *Test*, and every thing else that is uneasy to them; and tho others may find it very reasonable to oppose themselves in all the just and legal ways that agree with our Constitution, to this Design; yet it is so natural to all that are under any Pressure, to desire to get free from it, that at the same time that we cannot forbear to withstand them, we cannot much condemn them; but it raises nature a little, to see a *Man* that has been so long sated with the *Spoils* of our Church, and who has



now got up to a degree so disproportioned to his Merit, to turn so treacherously upon it. If he is already weary of his *comfortable importance*, and will here give her into the Bargain, and declare himself; no Body will be surprized at the change of his Masque: since he has taken much pains to convince the World, that his *Religion* goes no deeper than his *Habit*: yet, tho his Confidence is of a piece with all his other Virtues, few thought it could have carried him so far: I confess I am not surprized, but rather wonder to see that others should be so: for he has given sufficient warning of what he is capable of; he has told the World *what is the worst thing that Dr. Burnet can do*, p. 50. But I am sure the Dr. cannot be quit with him, to tell what is the *worst thing* that he can do; it must needs be a very fruitful fancy that can find out all the degrees of wickedness to which he can go: and tho this Pamphlet is a good Essay of his Talent that way, yet that *Terra Incognita* is boundless. In the title Page it is said that this was *first writ for the Author's own satisfaction, and now published for the benefit of all others whom it may concern*. But the words are certainly wrong placed; for the truth of the matter is, That it was *Written for the Author's own benefit, and that it is now published for the satisfaction of all others whom it may concern*: in some sense perhaps it was written for the Author's own satisfaction: for so petulant and so depraved a mind as His, is capable of being delighted with His Treachery: and a poor *Bishoprick* with the addition of a *Presidentship* being too low a prize for His Ambition and Avarice, He resolved to assure Himself of the first great *Bishoprick* that falls; the *Liege Letter* lets us see how far the *Jesuits* were assured of Him, and how much courted by Him: and that He said, *That none but Atheists supported the Protestant Religion now in England*; yet how many soever of these may be among us, He is upon the point of lessening their number, by one at least: and he takes care to justify the hopes which these *Fathers* conceived of Him. They are severe Masters, and will not be put off with secret Civilities, lewd Jest, Entertainments, and Healths drank to their good Success; so now the Price of the *Presidentship* is to be pay'd, so good a Morfel as this deserved that Dr. *Stillington*, Dr. *Tillotson*, Dr. *Burnet*, and some other Divines should be ill-used, and He to preserve the Character of *Drawcansir*, which is

as due to Him as that of *Bays*, falls upon the *Articles* of the *Church*, and upon both *Houses* of *Parliament*. It is *Reproach* enough to the *House of Lords*, that He is of it; but it is somewhat new, and a *Character* becoming *Sa. Oxon*, to arraign that *House* with all the *Insolence* to which he can raise his wanton *Pen. Laws* that are in being are treated with respect even by those who move for their *Repeal*; but our *Drawcansir* scorns that modest strain, he is not contented to arraign the *Law*, but calls it *Barbarous*, and says, *That nothing can be more Barbarous and Prophane than to make the renouncing of a Mystery, so unanimously received, a State Test*; pag. 133. pag. 64. But he ought to have avoided the word *Prophane*, since it leads men to remember, that he had taxed the *Praying for the King, as under God and Christ, as Crude*, not to say *Prophane*: when in the *Prospect* he had then [36] of a *Bishoprick*, he raised the *King* above *Christ*, but now another *Prospect*, will make him sink him beneath the *Pope*, who is but at best *Christ's Vicar*. But this is not all, there comes another *Flower* that is worthy of him; he tells us, *That the T E S T was the first-born of Oats's Plot, and brought forth on purpose to give Credit and Reputation to the Perjury*, p. 5. And because this went in common between the *Two Houses*, he bestows a more particular mark of his *Favour* on the *House of Lords*: and tells them, *That this was a Monument erected by themselves in honour of so gross an Imposture*. (Ibid.) But after all, the *Royal Assent* was added; and here no doubt it itched somewhere, for if it had not been for the manner of the *Late King's Death*, and the *Papers* published since his *Death*, he would have wreaked his *Malice* upon his *Memory*, for he will never forgive his not advancing him: And the *Late King* being so true a *Judge of Wit*, could not but be much taken with the best *Satyr* of our *Time*; and saw that *Bays's Wit*, when measured with another's, was of a piece with his *Virtues*, and therefore judged in favour of the *Rehearsal Transpros'd*: this went deep, and though it gave occasion to the single piece of *Modesty*, with which he can be charged, of withdrawing from the *Town*, and not importuning the *Press* more for some years, since even a *Face of Brass* must grow red, when it is so burnt as his was then; yet his *Malice* against the *Elder Brother* was never extinguished but with his *Life*: But now a strange *Conjuncture* has brought

brought him again on the Stage, and *Bays* will be *Bays* still.

He begins his Prologue with the only soft word in the whole piece, *I humbly Conceive*; but he quickly repents him of that *Debonarity*, and so makes *Thunder* and *Lightning* speak the rest, as if his Designs were to Insult over the two Houses, and not to convince them. He who is one of the Punies of his Order, and is certainly one of its justest Reproaches, tells us pag. 8. "That to the Shame of the Bishops, this Law was consented to by them in the House of Lords: But what shame is due to him, who has treated that Venerable *Bench*, and in particular his *Metropolitan*, in so scurrilous a manner? The Order has much more cause to be ashamed of such a Member: tho' if there are two or three such as he is among the twenty six, they may Comfort themselves with this, that a dozen of *much better* Men, had one among them, that I confess was not *much worse*, if it was not for this, that *he* let the Price of his Treachery fall much lower than *Sa. Oxon* does, who is still true to his old Maxim, that he delivered in Answer to one who asked him, "What was the best Body of Divinity? Which was, That that which could help a man to keep a Coach and six Horses, was certainly the best. But now I come to Examine his Reasons for Abrogating the T E S T.

The first is, "That it is contrary to the *Natural Rights* of *Peerage*, and turns the Birth-Right of the *English Nobility* into a Precarious Title, which is at the mercy of every Faction and Passion in Parliament; and that therefore, how useful soever the T E S T might have been in its Season, it some time must prove a very ill President against the Right of *Peerage*: and upon this he tells a Story of a Protestation made in the House of Lords; against the T E S T, that was brought in in 1675, together with the Resolution of the House against that Penalty upon the Peers, of losing their Votes in case of a Refusal: he represents this, as a Test or Oath of Loyalty against the Lawfulness of taking Arms up on any pretence whatsoever against the King.

But in Answer to all this, one would gladly know what are the *Natural Rights* of *Peerage*, and in what Chapter of the Law of Nature they are to be found; for if those Rights have no other Warrant, but the Constitution of this Government, then they

they are still subject to the Legislative Authority, and may be regulated by it. The Right of Peerage is still in the Family, only as the exercise of it is limited by the Law to such an Age, so it may be Suspended as oft as the Publick Safety comes to require it: even the indelible Character it self, may be brought under a total Suspension, of which our Author may, perhaps, afford an instance at some time or other.

2. Votes in either House of Parliament, are never to be put in ballance with Establish'd Laws: These are but the Opinions of One House, and are changeable.

3. But if the TEST might have been useful in its Season, one would gladly see how it should be so soon out of Season: for its chief use being to Secure the Protestant Religion in 1678, it does not appear, That now in 1688, the Dangers are so quite dissipated, that there is no more need of securing it. In one Sense we are in a safer Condition than we were then: For some false Brethren have shewed themselves, and have lost that little Credit which some unhappy Accidents had procured them.

4. It was not the Loyalty in the TEST of the Year 1675, that raised the greatest opposition to it: But another part of it, "That they should never Endeavour any alteration in the Government, either in the Church or State. Now it seemed to be an unreasonable Limitation on the Legislative Body, to have the *Members* engaged to make no Alteration: And it is that which would not have much pleased those, *For whose satisfaction this Book is published.*

The second Reason was already hinted at, *of its dishonourable birth and original*; p. 10. which according to the decency of his Style, he calls *the first Sacrament of the Otesian Villany*, pag. 9. This he aggravates *as such a Monstrous and Inhuman piece of Barbarity as could never have entered into the thoughts of any man but the infamous Author of it*; this piece of Elegance, tho it belongs to this Reason, comes in again in his fourth Reason, pag. 6. and to let the *House of Lords* see their Fate, if they will not yield to his *Reasons*, he tells them that this will be not only an "Eternal National Reproach, but such a blot upon the *Peers*, that no length of time could wear away, nothing but the Universal "Conflagration could destroy; Which are the aptest Expressions that

that I know to mark how deeply the many blots with which he is stigmatized are rooted in his Nature. The wanton man in his *Drawcanfir*-humor thinks that *Parliaments* and a *House of Peers* are to be treated by him with as much scorn as is justly due to himself. But to set this matter in its true Light, it is to be remembered that in 1678, there were besides the Evidences of the *Witnesses*, a great many other Discoveries made of *Letters* and *Negotiations* in forreign Parts, chiefly in the Courts of *France* and *Rome*, for Extirpating the *Protestant Religion*; upon which the *Party* that was most united to the *Court*, set on this Law, for the *Test*, as that which was both in it self a just and necessary Security for the Establish'd *Religion*, and that would probably lay the fermentation which was then in the Nation: and the *Act* was so little acceptable to him, whom he calls *its Author*, that he spake of it then with Contempt, as a *Trick* of the *Court* to lay the *Nation* too soon asleep. The *Negotiations* beyond Sea were too evidently proved to be denied; and (which is not yet generally known) Mr. *Coleman* when Examined by the *Committee* of the *House of Commons*, said plain enough to them, that the *Late King* was concerned in them; but the *Committee* would not look into that matter, and so Mr. *Sacheverill*, that was their *Chair-man*, did not report it; yet the thing was not so secret but that one to whom it was trusted, gave the *late King* an Account of it; who said, That he had not heard of it any other way, and was so fully convinced that the *Nation* had cause given them to be jealous, that he himself set forward the *Act*, and the rather because he saw that the *E. of S.* did not much like it. The *Parliament* as long as it was known that the *Religion* was safe in the *King's* Negative, had not taken any great care of its own Constitution, but it seemed the best Expedient that could be found, for laying the Jealousies of His late *Majesty*, and the apprehensions of the *Successor*, to take so much care of the *two Houses*, that so the Dangers with which men were then allarm'd, might seem the less formidable, upon so effectual a security: and thus all the stir that he keeps with *Perjury* and *Imposture*, ought to make no other impression, but to shew the wantonness of his own Temper, that meddles so boldly with things of which he knew so little the true Secret: For here was a Law pass'd of which all made great use that

opposed the *Bill of Exclusion*, to Demonstrate to the Nation that there could be no danger of *Popery*, even under a *Prince* of that *Religion*; but as he would turn the matter, it amounts to this, That that *Law* might be of good use in that season, to lay the *Jealousies* of the Nation, till there were a *Prince* on the *Throne* of that *Communion*, and then when the turn is served, it must be thrown away, to open the only door that is now shut upon the Re-establishment of that *Religion*. This is but one hint among a great many more of the state of Affairs at the time that this *Act* of the *T E S T* was made, to shew that the *Evidence* given by the *Witnesses*, had no other share in that matter, but that it gave a rise to the other Discoveries; and a fair Opportunity to those who knew the secret of the late *King's* Religion, and the Negotiation at *Dover*, to provide such an effectual Security, as might both save the *Crown*, and secure the *Religion*: and this I am sure some of the *Bishops* knew, who (to their Honour) were faithful to both.

The third Reason he gives for Repealing the *Act*, is the Incompetent Authority of those who Enacted it; for it was of an Ecclesiastical nature: and here he stretches out his Wings to a Top-flight, and charges it with nothing less than the *Deposing* of *Christ* from his *Throne*, the *disowning*, *neglecting* and *affronting* his *Commission* to his *Catholick Church*, and *entrenching* upon this sacred *Prerogative* of his *Holy Catholick Church*: and then that he might have occasion to feed his spleen with railing at the whole Order, he makes a ridiculous objection of the *Bishops* being present in the *House of Lords*, that he might shew his respect to them, by telling in a Parenthesis that (to their shame) they had consented to it. But has this *Scaramuchio* no shame left him? Did the *Parliament* pretend by this *Act* to make any Decision in those two Points of *Transubstantiation* and *Idolatry*? Had not the Convocation defined them both for above an Age before? In the 28th Article of our Church these words are to be found: *Transubstantiation (or the change of the substance of Bread and Wine) in the Supper of the Lord, cannot be proved by Holy Writ: but it is repugnant to the plain words of Scripture, overthrows the nature of a Sacrament, and hath given occasion to many superstitions; and for the Idolatry of the Church of Rome that was also declared very expressly in the same body of Articles: since in the Article 35,*  
the

the *Homilies* are declared “to contain a godly and wholesom  
 “Doctrīne necessary for those times : and upon that it is judged  
 “that they should be read in the Churches, by the Ministers,  
 “diligently and distinctly, that they may be understood of the  
 “People. And the Second of these, which is against  
 the *Peril of Idolatry*, aggravates the *Idolatry* of that  
*Church* in so many particulars, and with such severe Ex-  
 pressions, that those who at first made those *Articles*, and  
 all those who do now sign them, or oblige others to sign ‘em,  
 must either believe the *Church of Rome* to be guilty of *Idolatry*,  
 or that the *Church of England* is the Impudentest Society that  
 ever assumed the Name of a *Church*, if she proposes such *Ho-  
 milies* to the People, in which this Charge is given so home,  
 and yet does not believe it her self. A man must be of *Bays’s*  
 pitch to rise up to this degree of Impudence. Upon the whole  
 matter then, these points have been already determined, and  
 were a part of our *Doctrīne* enacted by *Law*: All that the  
*Parliament* did, was only to take these out of a great many  
 more, that by this *Test* it might appear whether they who came  
 into either *House* were of that *Religion* or not; and now let  
 our *Reasoner* try what he can make out of this; or how he can  
 justify the Scandal that he so boldly throws upon his Order, as  
 if they had as much as in them lay destroyed the very being of a  
 Christian Church, and had profanely pawned the Bishop to the Lord:  
 and betrayed the Rights of the Church of England as by *Law* Estab-  
 lished in particular, as well as of the Church Catholick in general. p. 8,  
 9. All this shews to whom he has pawned both the Bishop and the  
 Lord, and something else too, which is both *Conscience* and *Ho-  
 nour*, if he has any left. When one reflects on two of the *Bi-  
 shops*, that were of that Venerable Body, while this *Act* passed,  
 whose Memory will be blessed in the present and following Ages,  
 those two great and good Men that filled the *Sees* of *Chester* and  
*Oxford*, he must conclude, that as the World was not worthy  
 of them, so certainly their *Sees* were nor worthy of them, since  
 they have been plagued with such *Successors*; that because *Bays*  
 delights in figures taken from the Roman Empire, I must tell  
 him, that since *Commodus* succeeded to *Marcus Aurillius*, I do  
 not find a more incongruous Succession in History. With  
 what sensible regret must those who were so often edified with  
 the Gravity, the Piety, the Generosity, and Charity of the

late Bishop of Oxford, look on, when they see such a *Harlequin* in his room.

His Fourth Reason is taken from the *uncertainty and falsehood of the matters contained in the Declaration it self*, pag. 9. for our Comedian maintains his Character still, and scorns to speak of Establish'd Laws with any Decency; here he puts in a paragraph, as was formally marked, which belonged to his Second Reason, but it seems some of those to whom he has *pawn'd himself*, thought he had not said enough on that head, and therefore to save blottings, he put it in here. After that, he tells the Gentry, that *Transubstantiation was a Notion belonging to the School-men and Metaphysicians*, and that he may bespeak their Favour, he tells them in very soft words, *That their Learning was more polite and practicable in the Civil Affairs of Human Life, to understand the Rules of Honour, and the Laws of their Country, the Practice of Martial Discipline, and the Examples of Great Men in former Ages, and by them to square their Actions in their respective Stations, and the like*. But sure the Bishop is here without his *Fiocco*, yet at least for Decency's sake he should have named *Religion and Virtue* among the proper Studies of the Gentry: and if he dares not trust them with the reading the *Scriptures*, yet at least they might read the *Articles of our Church*, and hearken to the *Homilies*; for tho it has been long one of the first Maxims that he has infused into all the *Clergy* that come near him, that the People ought to be brought into an ignorance in matters of *Religion*; that Preaching ought to be laid aside, for a Preaching Church could not stand; that in *Sermons* no points of Doctrine ought to be explained, and that only the Rules of Human Life ought to be told the People; yet after all, they may read the *short Articles*: and tho they were as blindly Implicit as he would wish them to be, yet they would without more Enquiry, find *Transubstantiation* to be condemned in them. Next he Triumphs over the renouncing of it, pag. 11. "as too bold and too prophane an Affront to Almighty God: when men Abjure a thing which it is morally impossible for them to understand. And he appeals to the Members of both *Houses* (whom in a fit of Respect he calls *Honourable*, after he had Reproach'd them all he could) "if they have any distinct Idea or Notion in their minds, of the thing they here  
" so



“so Solemnly Renounce. I do verily believe none of them have any distinct Notion of Transubstantiation ; and that it is not only *Morally*, but *Physically impossible for them to understand it* : But one would think that this is enough for declaring that they do not *Believe* it, since the TEST contains no declaration concerning *Transubstantiation* it self, whether it is a True or a False Doctrine: but only concerning the Belief of him that takes it. And if one can have “no distinct Notion of it, so “that it is morally impossible for him to understand it, he may “very well declare *That he does not believe it*. After a Farce of a slight Story, he concludes, that *there seems to be nothing but a Prophane Levity in the whole matter : and a shameless abuse put upon God and Religion, to carry on the Wicked Designs of a Rebel-Faction*. For he cannot for his heart, abate an ace of his Insolence, even when he makes the *King, Lords, and Commons*, the subject of his Scorn. Certainly whatever his Character is, it ought not to be expected that a man who attacks all that is Sacred under God and Christ, should not be treated as he deserves: it were a feeble weakness, to have so great a regard to a Character that is so prostituted by him. He tells us pag. 47. “That “all parties agree in the thing : and that they differ only in the “word and manner: and here he makes a long excursion to shew his Learning, in tacking a great many things together, which passes with Ignorant Readers as a mark of his great Reading : whereas in this, as well as in all his other Books, in which any shews of Learning appear, those who have searched into the Fountains, see that he does nothing but gather from the Collection of others: only he spoils them with the *Levities* of his *Buffoon Stile*, and which is worse, with his *Disingenuity*. I leave all these matters to be examined, by those who have leisure for it, and that think him worth their pains: But as for *Transubstantiation*, the words that I have cited from out of our *Articles*, shew plainly that it is rejected in our *Church*, so that he is bound either to renounce it, or to renounce our *Church* : therefore all that shew he makes with our History, comes to nothing, since whatever he may say with relation to *Edward the Sixth's* Reign, it cannot be denied but they were Enacted by the Convocation in the beginning of *Queen Elizabeth's* Reign, and they have been ever since, the Doctrine of our *Church* : so that

that without going further, this is now our *Doctrine*, and since *Sa. Oxon* carries the Authority of the *Convocation* so high, he will find the Original Record of these *Articles* in *Corpus-Christi Colledg* in *Cambridge*, subscribed by the Members of both Houses, in which there is a much more Positive Decision, than is in the Prints, not only against *Transubstantiation*, but against any *Corporal or Real Presence of the Body and Blood of Christ in the Sacrament*: And if he will give himself scope, to rail at those who suppressed this, I leave him to his Liberty. But here is the formal decision of this *Church*, and the pretending that there was no Evidence of *Cranmer's* Opinion, but in an unknown *Manuscript*, or a Famous *Invisible Manuscript*, p. 49, 47. when there are two Books writ on this matter by *Cranmer* himself, and when all the Disputes in *Queen Mary's* time, besides those that were both in *Oxford*, and *Cambridge*, in *King Edward's* time, shew so clearly, That this was his *Doctrine*, is a strain becoming his Sincerity, that gives this among many other *Essays* of the *Trust* that is due to him.

But it seems he thought that *Dr. Tillotson*, *Dr. Stillingfleet*, and *Dr. Burnet*, besides some others whom he does not Name, had not Reputation enough in the World, and therefore he intended to raise it, by using them ill: which is all the effect that his Malice can have. He had set on one of his poor underworkmen, some years ago, to decry the *Manuscript* which *Dr. Stillingfleet* had in his keeping for above Twenty Years, and which *Dr. Burnet* had in his Hands, for many months, and which they shewed to as many as desired to see it, but that had turned so much to his Shame that first vented the Calumny, that it seems he summoned *Sa. Oxon* to appear his second in the Slander: and he whose Brow is of so peculiar a Composition, will needs bring it here, tho ever so impertinently. But I forgive the Hatred that he bears both to that *Manuscript*, and to those *Doctors*, since nothing could be less to the satisfaction of those for whom he published his Book, than to see the Mature and Regular Methods in which the *Reformation* was advanced, for the *Bishops* and *Divines* were appointed to Examine all Points with much care, and to bring every man his Opinion in Writing, all which were compared very faithfully, and upon these the Decisions were made.

There

There are many other Papers yet extant which by comparing the Hands shew these to be Originals: and they were in the *Salisbury* Family probably ever since they were at first brought together. Their Ancestor the Lord *Burleigh* who was *Secretary of State* in *Edward* the Sixth's time, gathered them up; and as appears in a Letter under his own Hand yet extant, he had 6 or 7 *Volums* of them, of which *Dr. Stillingfleet* had only two: but *Dr. Burnet* saw two more of these *Volumes*.

The *History of the Reformation* sells still so well, that I do not believe *Mr. Chiswell* the Printer of it has made any Present to this Reasoner, to raise its Price; for to attack it with so much Malice, and yet not to offer one Reason to lessen its Credit, is as effectual a Recommendation, as this Author can give it.

He pretends that *Dr. Burnet's* design was, to make *Cranmer* appear a meer *Sacramentarian* as to *Doctrine*, as he had made him appear an *Erastian*, as to *Discipline*; and he thinks the vain Man was flattered into all the Pains he took, that he might give Reputation to the Errours of his Patrons, and that those two grand Forgeries are the grand Singularities of his *History*: and the main things that gave it Popular Vogue and Reputation with his *Party*. So that were these two blind Stories, and the Reasons depending upon them retrenched, it would be like the shaving off *Samsons* Hair, and destroy all the strength peculiar to the *History*. But to all this stuff I shall only say. 1. That the Charge of *Forgery* falls back on the Reasoner, since as to *Cranmers* opinion of the *Sacrament*, his own Books and his Dispute at *Oxford* are such plain Evidences, that none but *Bays* could have questioned it; and for his being an *Erastian* *Dr. Burnet* had clearly proved that he had changed his Opinion in that Point, so that tho he shewed that he had been indeed once engaged in those Opinions, yet he proved that he had forsaken them: Let the Reader judg to whom the charge of *Forgery* belongs. 2. *Dr. Burnet* has indeed some temptations to *Vanity* now, since he is ill used by *Bays*; and put in such Company: but I dare say if he goes to give him his Character he will never mention so slight a one as *Vanity*, in which how excessive so ever he may be, yet it is the smallest of all his Faults. 3. These two Particulars here mentioned, bear so inconsiderable a share in that *History*, and have been so little minded, that I dare say  
of:

of an hundred that are pleased with that Work, there is not one that will assign these as their Motives.

He censures Dr. Burnet for saying he had often heard it said that the *Articles of our Church* were framed by Cranmer and Ridley, as if it were the meanest Trade of an Historian to stoop to hearsays, p. 55. But the best of all the Roman Historians (*Salust. in bello Catil.*) does it, and in this Dr. Burnet maintains the Character of a sincere Historian, to say nothing that was not well grounded: and since it has been often said by many Writers, that these two Bishops prepared our *Articles*, he finding no particular Evidence of that, delivers it with its own doubtfulness. It is very like *Sa. Oxon* would have been more positive upon half the grounds that Dr. Burnet had, but the other chose to write exactly: yet he adds, That it is probable that they penned them: and if either the Dignity of their *Sees*, or of their Persons be considered, the thing will appear reasonable enough. But I do not wonder to see any thing that looks like a modesty of Style offend our Author. He is next so kind to Dr. Burnet, as to offer him some Counsel, (p. 50.) that he would be well advised to employ his Pains in writing *Lampoons* upon the present Princes of Christendom (especially his own) which he delights in most; because it is the worst thing that himself can do; than collecting the Records of former times; for the first will require time and Postage, to pursue his Malice; but the second is easily traced in the Chimney-corner.

One would think that this period was Writ by Mr. South, it is so obscure and ill expressed, that nothing is plain, but the malice of it: but he of all men should be the furthest from reproaching any for Writing *Lampoons*, who has now given so rude a one, on the late King and the Lords and Commons; if bold Railing without either Wit or Decency, deserves that Name. I will only say this further, That if one had the ill nature to write a *Lampoon* on the Government, one of the severest Articles in it, would be, That it seems Writers are hard to be found, when such a *Baboon* is made use of. It is *Lampoon* enough upon the Age, that he is a Bishop, but it is downright *Reproach* that he is made the *Champion* of a Cause, which if it is bad of it self, must suffer extremly by being in such Hands.

And thus I think enough is said in Answer to his impertinent digression upon *Transubstantiation*; let him renounce the *Article* of our *Church*, and all that he possesses in Consequence to his having signed it, and then we will argue all the rest with him upon the square: but as long as he owns that, he is bound likewise to own the first Branch of the TEST, which is the Renouncing of *Transubstantiation*. In this Discourse he makes his old hatred to *Calvin* and the *Calvinists* return so often, that it appears very Conspicuously. I believe it is stronger now than ever, and that for a particular reason; when the *Prince* and *Princess* of *Orange* were Married, he was perhaps the only Man in *England* that Expressed his uneasiness at that Happy Conjunction, in so Clownish a manner, that when their *Hignesses* past through *Canterbury*, he would not go with the rest of that Body, to which he was so long a Blemish, to pay his Duty to them; and when he was asked the Reason, he said, *He could have no regard to a Calvinist Prince*. Now this *Calvinist Prince* has declared his mind so openly and fully against the *Repeal* of the TEST, that no doubt this has increased *Bays's* distemper, and heightened his *Choler* against the whole Party.

The second Branch of the TEST is the Declaration made of the *Idolatory* committed in the *Roman Church*; upon which he tells us, p. 71, 72. That *Idolatory* is a *Stabbing* and *Cut-throat Word*, and that it is an *Inviting* und *Warranting* the *Rabble* whenever Opportunity favours, to *destroy* the *Roman Catholics*; and here *Bays* will outdo himself, since this was a Master-piece of Service; therefore he makes the taxing the *Church of Rome* with *Idolatory*, a piece of *Inhumanity* that outdoes the *Savages* of the *Canibals* themselves: and damns at once both body and Soul. He charges *Dr. Stillingfleet*, as the great *Founder* of this, and all other *Anti-catholick* and *Anti-christian* and *uncharitable Principles* among us; and that the TEST is the *Swearing* to the *Truth* of his *unlearned* and *Phanatick* Notion of *Idolatory*, pag. 130, 135. and the result of all is, *That Idolatry made the Plot*, and then the *Plot made Idolatry*, and that the same persons made both. He has also troubled the Reader with a second Impertinence to shew his second-hand Reading again upon the Notion of *Idolatry*; but all this falls off with a very short Answer, if he is of the *Church of England*, and believes that the *Homilies* contain a

Godly and Wholeſom Doctrine, all this Clamour againſt Idolatry, turns againſt himſelf, for he will find the Church of Rome charged with this almoſt an Age before Dr. *Stillingfleet* was Born : and tho perhaps none has ever defended the Charge, with ſo much Learning as he has done, yet no malice leſs Impudent than his is, could make him the Author of the Accuſation. It will be another ſtrain of our Author's modeſty, if he will pretend that our Church is not bound to own the Doctrine that is contained in her *Homilies*, he muſt by this make our Church as Treacherous to her Members, as *Sa. Oxon* is to her ; for to deliver this Doctrine to the People, if we believe it not our ſelves, is to be as impudent as he himſelf can pretend to be. A Church may believe a Doctrine which ſhe does not think neceſſary to propoſe to all her Members : but ſhe were indeed a Society fit for ſuch Paſtors as he is, if ſhe could propoſe to the People a Doctrine, chiefly one of ſo great Conſequence as this is, without ſhe believed it her ſelf. So then he muſt either Renounce our Church and her *Articles*, or he muſt Answer all his own Plea for clearing that Church of this Imputation : which is ſo ſlight, that it will be no hard matter even for ſuch a trifling Writer as himſelf is, to do it : As for what he ſays of *Stabbing* and *Cut-throat Words*, he may charge us with ſuch words, if he will, but we know who we may charge with the Deeds. I would gladly ſee the Liſt of all that have been murder'd by theſe Words, to try if they can be put in the Ballance, either with the *Maſſacre* of *Ireland*, or that of *Paris* ; upon which I muſt take notice of his ſlight way of mentioning *Coligny*, and *Faction*, and telling us in plain words, pag. 45. " That they " were Rebels. This is perhaps another inſtance of his kindneſs to the *Calviniſt Prince*, that is Deſcended from that Great Man.

If *Idolatry* made our Plot, it was not the firſt that it made ; but his malignity is ſtill like himſelf, his charging Dr. *Stillingfleet*, who he ſays is the Author of the Imputation of *Idolatry*, as if he had ſuborned the *Evidence* in our Plot. I ſhould congratulate to the Doctor the Honour that is done him by the Malice of one who muſt needs be the object of the hatred of all good Men, if I did not look upon him as ſo contemptible a perſon, that his love and his hatred are equally inſignificant.

If he thinks our Church worse than Canibals, I wish he would be at the pains to go and make a trial, and see whether these Salvages will use him as we have done. I dare say they would not Eat him, for they would find so much Gall and Choler in him, that the first bit would quite disgust them.

*A second Part of the ENQUIRY into the Reasons offered by Sa. Oxon for Abrogating the TEST: Or an Answer to his Plea for Transubstantiation; and for Acquitting the Church of Rome of IDOLATRY.*

**T**HE two seemingly contrary Advices of the *Wise man*, of *Answering a Fool according to his Folly*, and of *not Answering him according to his Folly*, are founded on such Excellent Reasons, that if a man can but rightly distinguish the Circumstances, he has a good Warrant for using both upon different occasions. The Reason for *Answering a Fool according to his Folly*, is, *lest he be wise in his own eyes*; that so a haughty and petulant humour may be subdued; and that a Man that is both blinded and swelled up with self-conceit, may by so severe a Remedy be brought to know himself, and to think as meanly of himself as every Body else does. But the reason against *Answering a Fool according to his Folly*, is, *lest one be also like unto him*, and so let both his mind and stile be corrupted by so Vicious a Pattern. Since then in a former *Paper*, I was wrought on to let our Author see, what a severe Treatment he has justly drawn on himself, and to write in a stile a little like his own; I will now let him see, that he is the Man in the World, whom I desire the least to resemble: and so if I writ before in a stile that I thought became him, I will now change that into another, which I am sure becomes my self. In the former, I examined his Arguments for abrogating the *Test*, in a strain, which I thought somewhat necessary for the Informing the Nation

tion aright, in a matter of such Consequence, that the Preservation of our *Religion* is judged to depend upon it, by the Presumptive *Heir* of the Crown: but now, that I am to argue a point, which requires more of a Gravity, than of an acrimony of stile, I will no more consider the *Man*, but the *Matter* in hand.

In a word, “ He would persuade the World, that *Transubstantiation* is but a Nicety of the Schools, calculated to the *Aristotelian* Philosophy, and not defined positively in the Church of *Rome*: but that the *Corporeal* and *Real Presence* of the substance of *Christ’s Body* and *Blood* in the Sacrament, was the Doctrine of the *Universal Church* in the *Primitive Times*: and that it is at this day the generally received Doctrine by all the different Parties in *Europe*, not only the *Ro. Catholics* and *Lutherans*, but both by the Churches of *Switzerland* and *France*, and more particularly by the Church of *England*; so that since all that the Church of *Rome* means by *Transubstantiation* is the *Real Presence*; and since the *Real Presence* is so *Universally* received, it is a heinous thing to renounce *Transubstantiation*; for that is in effect the renouncing the *Real Presence*.

This is the whole strength of his Argument, which he fortifies by many Citations, to prove that both the *Ancient Fathers* and the *Modern Reformers*, believed the *Real Presence*; and that the Church of *Rome* believes no more. But to all this I shall offer a few Exceptions.

I. If *Transubstantiation* is only a Philosophical Nicety concerning the manner of the *Presence*; where is the hurt of renouncing it? and why are the *Ro. Catholics* at so much pains to have the *Test* repealed? for it contains nothing against the *Real Presence*; indeed if this Argument has any force, it should rather lead the *Ro. Catholics* to take the *Test*, since according to the *Bp.* they do not renounce in it any Article of Faith, but only a bold curiosity of the Schoolmen. Yet after all, it seems they know, that this is contrary to their Doctrine, otherwise they would not venture so much upon a point of an old and decried Philosophy.



II. In order to the stating this matter aright, it is necessary to give the true notion of the *Real Presence*, as it is acknowledged by the *Reformed*. We all know in what sense the Church of *Rome* understands it, that in the *Sacrament* there is no *Real Bread and Wine*, but that under the appearance of them, we have the true substance of *Christ's glorified Body*. On the other hand, the *Reformed*, when they found the world generally fond of this phrase; they by the same Spirit of Compliance, which our Saviour and his Apostles had for the *Jews*, and that the Primitive Church had (perhaps to excess) for the *Heathens*, retained the phrase of *Real Presence*: but as they gave it such a sense as did fully demonstrate, that tho' they retained a term that had for it a long Prescription, yet they quite changed its meaning: for they always shewed, that the *Body and Blood of Christ*, which they believed present, was his *Body broken* and his *Blood shed*; that is to say, his *Body*, not in its *glorified state*, but as it was *crucified*. So that the presence belonging to *Christ's dead Body*, which is not now actually in being, it is only his *Death* that is to be conceived to be presented to us; and this being the sense that they always give of the *Real Presence*; the *reality* falls only on that conveyance that is made to us in the *Sacrament*, by a federal rite of *Christ's Death* as our *Sacrifice*. The learned Answerer to the *Oxford Discourses* has so fully demonstrated this from the copious explanations which all the *Reformed* give of that phrase, that one would think it were not possible either to mistake or cavil in so clear a point. The *Papists* had generally objected to the *Reformers*, that they made the *Sacrament* no more than a bare Commemorative Feast; and some few had carried their aversion to that gross *Presence* which the Church of *Rome* had set up, to another extremum to which the People by a principle of *Libertinism* might have been too easily carried; if the true Dignity of the *Sacrament* had not been maintained by expressions of great Majesty: so finding that the world was possessed of the phrase of the *Real Presence*, they thought fit to preserve it, but with an Explanation that was liable to no Ambiguity. Yet it seems our *Reformers* in the beginning of *Queen Elizabeth's* Reign had found that the phrase had more power to carry men to Superstition, than the explanations given to it, had to retire them from it; and therefore the

Convocation ordered it to be laid aside, tho' that order was suppressed out of prudence: and the phrase has been ever since in use among us, of which Dr. Burnet has given us a copious account, *Hist. Reform.* 2. Vol. 3. Book.

III. The Difference between the notion of the *Sacrament's* being a meer Commemorative Feast, and the *Real Presence*, is as great as the value of the Kings head stamped upon a Medal differs from the currant coyn, or the Impression made by the Great Seal upon Wax differs from that which any Carver or Graver may make. The one is a meer *Memorial*, but the other has a sacred badge of Authority in it. The *Pascchal Lamb* was not only a *Remembrance* of the Deliverance of the People of *Israel* out of *Egypt*, but a continuance of the *Covenant* that *Moses* made between God and them, which distinguished them from all the Nations round about them, as well as the first *Pas-s-over* had distinguished them from the *Egyptians*. Now it were a strange Inference, because the *Lamb* was called the *Lords Passeever*, that is, the *Sacrifice*, upon the sprinkling of whose Blood the Angel *passed over* or *passed by* the Houses of the *Israelites*, when he smote the first-born of the *Egyptians*, to say, that there was a change of the substance of the *Lamb*: or because the Real faith of a Prince is given by his Great Seal, printed on Wax, and affixed to a Parchment, that therefore the substance of the Wax is changed: so it is no less absurd to imagine, that because the Bread and the Wine are said to be the *Body and Blood of Christ* as *broken and shed*, that is, his death *Really and effectually* offered to us, as our *Sacrifice*, that therefore the substance of the *Bread and Wine* are changed.

And thus upon the whole matter, that which is present in the *Sacrament* is *Christ Dead*, and since his death was transacted above 1600. years ago, the reality of his presence can be no other than a Real offer of his death made to us in an instituted and federal symbole. I have explained this the more fully, because with this, all the ambiguity in the use of that commonly received phrase, falls off.

IV. As for the *Doctrine* of the Ancient Church, there has been so much said in this *Enquiry*, that a Man cannot hope to add any new discoveries to what has been already found out: therefore I shall only endeavour to bring some of the most Important

portant Observations into a narrow compass, and to set them in a good light: and shall first offer some general *Presumptions*, to shew that it is not like, that this was the *Doctrine* of the Primitive times, and then some Positive proof of it.

1. It is no slight *Presumption* against it, that we do not find the *Fathers* take any pains to answer the Objections that do naturally arise out of the present *Doctrine* of the Church of *Rome*: these Objections do not arise out of profound study, or great learning, but from the plain dictates of common sense, which make it hard (to say no more) for us to believe, that a *Body* can be in more places than one at once, and that it can be in a place after the manner of a *Spirit*: that *Accidents* can be without their subject; or that our senses can deceive us in the plainest cases: We find the *Fathers* explain some abstruse difficulties that arise out of other *Mysteries*, that were less known, and were more *Speculative*: and while they are thought perhaps to over-do the one, it is a little strange that they should never touch the other: but on the contrary, when they treat of *Philosophical* matters, they express themselves roundly in opposition to those consequences of this *Doctrine*: whereas since this *Doctrine* has been received, we see all the speculations of *Philosophy* have been so managed, as to keep a reserve for this *Doctrine*. So that the uncautious way in which the *Fathers* handled them (in proof of which, *Volumes* of quotations can be made) shews they had not then received that *Doctrine*, which must of necessity give them occasion to write otherwise than they did.

2. We find the *Heathens* studied to load the *Christian Religion* with all the heaviest *Imputations* that they could give it. They objected to them the believing a *God* that was born, and that died, and the *Resurrection* of the *Dead*, and many lesser matters, which seemed absurd to them; they had malice enough to seek out every thing that could disgrace a *Religion* which grew too hard for them: but they never once object this, of making a *God* out of a piece of *Bread*, and then eating him: if this had been the *Doctrine* of those Ages, the *Heathens*, chiefly *Celsus*, and *Porphyry*, but above all *Julian*, could not have been *Ignorant* of it. Now it does not stand with common sense to think, that those who insist much upon *Inconsiderable* things, could have passed over this, which is both so sensible and

of such Importance; if it had been the received belief of those Ages.

3. It is also of weight, that there were no disputes nor Heresies upon this point during the first Ages; and that none of the *Hereticks* ever objected it to the *Doctors* of the Church. We find they contended about all other Points: now this has so many difficulties in it, that it should seem a little strange, that all mens understandings should have been then so easy and consenting, that this was the single point of the whole Body of Divinity, about which the Church had no dispute for the first *Seven Centuries*. It therefore inclines a Man rather to think, that because there was no disputes concerning it, therefore it was not then broached: since we see plainly, that ever since it was broached in the *West*, it has occasioned lasting Disputes, both with those who could not be brought to believe it, and with one another concerning the several ways of explaining and maintaining it.

4. It is also a strong *Prejudice* against the Antiquity of this Doctrine, that there were none of those rites in the first Ages, which have crept in, in the latter: which were such natural consequences of it, that the belief of the one making way for the other, we may conclude, that where the one were not practised, the other was not believed. I will not mention all the Pomp which the latter Ages have Invented to raise the lustre of this *Doctrine*, with which the former Ages were unacquainted. It is enough to observe, that the *Adoration* of the Sacrament, was such a necessary Consequence of this *Doctrine*, that since the Primitive Times know nothing of it, as the *Greek Church* does not to this day, it is perhaps more than a *Presumption*, that they believed it not.

5. But now I come to more Positive and Convincing proofs: and

1. The language of the whole Church is only to be found in the *Liturgies* which are more severely composed than Rhetorical Discourses; and of all the parts of the Office, the *Prayer of Consecration*, is that in which we must hope to find most certainly the *Doctrine* of the Church; we find them in the *4th Century*, that in the Prayer of Consecration, the *Elements* were said to be the *Types of the Body and Blood of Christ*, as *St. Basil* in-

Informs us from the *Greek Liturgies*; and the *Figure of his Body and Blood*, as *St. Ambrose* informs us, from the *Latine Liturgies*: The *Prayer of Consecration*, that is now in the *Canon of the Mass*, is in a great part the same with that which is cited by *St. Ambrose*, but with this Important difference, that instead of the words, *which is the Figure of the Body and Blood of Christ*, that are in the former, there is a petition added in the latter, that *the gifts may be to us the Body and Blood of Christ*. If we had so many of the *Masses of the Ancient Liturgies* left, as to be able to find out the time in which the *Prayer of Consecration* was altered, from what it was in *St. Ambrose's* days, to what it is now, this would be no small Article in the *History of Transubstantiation*: but most of these are lost; since then the *Ancient Church* could not believe otherwise of the *Sacrament*, than as she expressed her self concerning it, in the *Prayer of Consecration*; It is plain, that her first *Doctrine* concerning it, was, that the *Bread and Wine were the Types and the Figure of the Body and Blood of Christ*.<sup>2</sup>

2. A second proof is from the Controversy, that was began by the *Apollinarists*, and carried on by the *Eutichians*, whether *Christ's* humanity was swallowed up of his Divinity or not? The *Eutichians* made use of the General Expressions, by which the change in the *Sacrament* seemed to be carried so far, that the *Bread and Wine* were swallowed up by it; and from this they inferred, that in like manner the human nature of *Christ* was swallowed up by his Divinity: but in opposition to all this, we find *Chrysofome* the *Patriarch of Constantinople*, *Ephraim* the *Patriarch of Antioch*, *Gelasius* the *Pope*, *Theodoret* a *Bishop in Asia* the lesser, and *Facundus* a *Bishop in Africk*, all within the compass of little more than an Age, agree almost in the same words, in refuting all this: asserting, that as the human nature in *Christ* remained still the same that it was before, notwithstanding its union with his Divine Nature; even so the *Bread and Wine* retained still their former Nature, Substance and Form, and that they are only sanctified, not by the change of their Nature, but by adding Grace to Nature. This they do in terms plain, and beyond all exception; and *Theodoret* goes over the matter again and again, in two different Treatises; so that no matter of fact can appear more plainly, than that the whole Church East

and *West*, and *Soub*, did in the fifth and sixth *Centuries* believe that the Sanctification of the *Elements* in the Sacrament, did no more destroy their natures, than the union of the two Natures in Christ, did destroy his humane nature.

A Third proof is taken from a practice which I will not offer to justify, how Ancient soever it may have been: It appears indeed in the Ancientest *Liturgies* now extant; and is a *Prayer* in which the *Sacrament* is said to be offered up in honour of the *Saint of the day*, to which a petition is added, that it may be accepted of God, by the *Intercession of the Saint*. This is yet in the *Missal*, and is used upon most of the *Saints days*. Now if the Sacrament was then believed to be the *very Body and Blood of Christ*, there is nothing more crude, not to say *prophane*, to offer this up to the honour of a *Saint*, and to pray that the Sacrifice of Christ's Body may be accepted of God through the *Intercession of a Saint*. Therefore to give any tollerable sense to these words, we must conclude, that tho these Prayers have been continued in the *Roman Church* since this Opinion prevailed, yet they were never made in an Age in which it was received. The only meaning that can be given to these words, is, that they made the *Saints days*, days of Communion, as well as the *Sundays* were; and upon that they prayed that the Sacrament which they received that day, to do the more honour to the Memory of the Saint, might be recommended to the Divine Acceptance by the *Intercession of the Saint*: so that this Superstitious practice shews plainly, that the *Church* had not, even when it began, received the *Doctrine* of the change of the Elements into the Body and Blood of Christ.

I will not pursue the proof of this point further, nor will I enter into a particular recital of the Sayings of the *Fathers* upon this subject; which would carry me far: And it is done so copiously by others, that I had rather refer my Reader to them, than offer him a lean abridgement of their labours.

I shall only add, that the *Presumptions* and Proofs that I have offered are much more to be valued, than the Pious and Rhetorical Figures by which many of the *Fathers* have set forth the manner of Christ's *Presence* in the Sacrament. One thing is plain, that in most of them, they represent Christ present in his dead and crucified state, which appears most eminently in *S. Chrysostom*;

from; so that this agreed with that notion of a *Real Presence*, that was formerly explained. Men that have at the same time, all the heat in their Imaginations that Eloquence can raise, and all the fervour in their heart which devotion can inspire, are seldom so correct in their phrases and figures, as not to need some allowances: therefore one plain proof of their Opinions from their Reasonings when in cold blood, ought to be of much more weight than all their Transports and Amplifications.

From this General view of the State of the *Church* during the first *Centuries*, I come next to consider the steps of the change which was afterwards made. I will not offer to trace out that History, which Mr. *Larregue* has done Copiously, whom I the rather mention, because he is put in *English*. I shall only observe, that by reason of the high expressions which were used upon the occasion of the *Eutichean* Controversy, formerly mentioned, by which the Sanctification of the *Elements* was compared to the Union of the humane nature of Christ with his Divinity, a great step was made to all that followed: during the Dispute concerning *Images*, those who opposed the worship of them said, according to all the Ancient Liturgies, that they indeed acknowledged one *Image* of Christ, which was the *Sacrament*; those who promoted that piece of superstition (for I refer the calling it *Idolatry* to its proper place) had the Impudence to deny that it had ever been called the *Image of Christ's Body and Blood*: and said, that it was really his *Body and Blood*. We will not much Dispute concerning an Age, in which the World seemed mad with a zeal for the Worship of *Images*; and in which *Rebellion*, and the Deposing of *Princes* upon the pretence of Heresy, began to be put in practice: such times as these, we willingly yield up to our Adversaries. Yet *Damascene*, and the *Greek Church* after him, carried this matter no further than to assert an Assumption of the *Elements*, into an union with the *Body and Blood of Christ*. But when the Monk of *Corbie* began to carry the matter yet further, and to say, that the *Elements* were changed into the *very body of Christ that was born of the Virgin*, we find all the great men of that Age, both in *France*, *Germany*, and *England*, writ against him; and he himself owns that he was looked upon as an Innovator.

Those who writ against him, chiefly *Rabanus Maurus*, and *Bertram*, or *Ratramne*, did so plainly assert the Ancient opinion of the Sacraments being the *Figure of the Body and Blood of Christ*, that we cannot express our selves more formally than they did: and from thence it was that our *Saxon Homily on Easter Day* was so express in this point. Yet the War and the *Northern Invasions* that followed, put the World into so much disorder, that all Disputes were soon forgot, and that in the *Eleventh Century*, this Opinion which had so many Partisans in the *Ninth*, was generally decried, and much abandoned.

VI. But with relation to those Ages in which it was received, some observations occur so readily, to every one that knows History, that it is only for the sake of the more Ignorant, that I make them.

1. They were times of so much Ignorance, that it is scarce conceivable to any but to those who have laboured a little in reading the productions of those Ages; which is the driest piece of study I know: The stile in which they writ, and their way of arguing, and explaining Scripture, are all of a piece, both matter and form are equally barbarous. Now in such times, as the Ignorant populace were easily misled, so there is somewhat in Incredible Stories and Opinions, that makes them pass as easily, as men are apt to fancy they see Sprights in the Night: nay, the more of Mystery and Darknes that there is in any Opinion, such times are apt to cherish it the more for that very reason.

2. Those were Ages in which the whole Ecclesiastical Order had entred into such Conspiracies against the *State*, which were managed and set on by such vigour by the *Popes*, that every Opinion which tended to render the persons of Churchmen Sacred, and to raise their Character, was likely to receive the best entertainment, and the greatest encouragement possible. Nothing could so secure the persons of *Priests*, and render them so considerable, as to believe that they made their God: and in such Ages no Armour was of so sure a proof as for a Priest to take his God in his hands.

Now it is known, that as *P. Gregory* the 7th, who condemned *Berengarius*, laid the foundations of the Ecclesiastical Empire,



pire, by establishing the Deposing Power; so P. Innocent the 3<sup>d</sup>. who got *Transubstantiation* to be decreed in the Fourth Council of the *Lateran*, seemed to have completed the project, by the Addition made to the Deposing Power, of transferring the Dominions of the Deposed *Prince* to whom he pleased. Since before this, the Dominions must have gone to the next Heirs of the Deposed *Prince*. It is then so plain, that the *Doctrine* of *Transubstantiation*, was so suitable to the advancing of those ends, that it had been a wonder indeed, if it being once set on foot, it had not been established in such times.

3. Those Ages were so corrupt, and more particularly the *Clergy*, and chiefly the *Popes*, were by the Confession of all Writers so excessively vicious, that such men could have no regard to truth in any of their Decisions. Interest must have carried all other things before it, with such *Popes*, who, according to the Historians of their own Communion, were perhaps the worst men that ever lived. Their Vices were so crying, that nothing but the credit that is due to the Writers of their own time, and their own Church, could determine us to believe them.

4. As the Ignorance and Vices of those times derogate justly from all the credit that is due to them; so the Cruelty which followed their Decisions, and which was Employed in the Execution of them, makes it appear rather a stranger thing that so many opposed them, than that so many submitted to them. When *Inquisitors* or *Dragoons* manage an Argument, how strong soever the Spirit may be, in opposing it, it is certain the *Flesh* will be weak, and will ply easily. When *Princes* were threatened with Deposition, and *Hereticks* with Extirpation, and when both were executed with so much rigour, the success of all the *Doctrines* that were established in those days, ought to make no Impression on us, in its favour.

VII. It is no less plain that there was a great and vigorous opposition made to every step of the progress of this *Doctrine*: When the *Eurichians* first made use of it, the greatest men of that Age set themselves against it. When the *Worshippers of Images* did afterwards deny that the *Sacrament* was the *Image of the Body and Blood of Christ*, a *General Council* in the *East* asserted, according to the *Ancient Liturgies*, the *Contrary Proposition*.  
When

When *Paschase Radbert* set on Foot the *Corporal Presence*, in the *West*, all the great men of the Age writ against him. *Berenger* was likewise highly esteemed, and had many secret Followers, when this Doctrine was first decreed: and ever since the time of the *Council of the Lateran*, that *Transubstantiation* was established, there have been whole bodies of men that have opposed it, and that have fallen as Sacrifices to the Rages of the Inquisitors. And by the Processes of those of *Tbolouse*, of which I have seen the *Original Records*, for the space of Twenty years, it appears that as *Transubstantiation* was the Article upon which they were always chiefly examined, so it was that which many of them did the most constantly deny; so far were they on both sides from looking on it only as an Explanation of the *Real Presence*.

VIII. The Novelty of this *Doctrine* appears plainly by the strange work that the *Schools* have made with it, since they got it among them, both in their Philosophy and Divinity, and by the many different methods that they took for explaining it, till they had licked it into the shape in which it is now: which is as plain an Evidence of the Novelty of the *Doctrine* as can be imagined. The Learned *Mr. Alix* has given us a clear Deduction of all that confusion into which it has cast the *Schoolmen*, and the many various Methods that they fell on for maintaining it. *First*, they thought the Body of Christ was broken by the Teeth of the Faithful: then that appearing absurd, and subjecting our Saviour to new sufferings; the *Doctrine* of a Bodies being in a place after the manner of a spirit, was set up. And as to the change, some thought that the Matter of Bread remained, but that it was united to the Body of Christ, as nourishment is digested into our Bodies; others thought that the *Form* of Bread remained, the *Matter* only being changed: And some thought, that the *Bread* was only withdrawn to give place to the *Body* of Christ, whereas others thought it was Annihilated. While the better Judges had always an eye either to a *Consubstantiation*, or to such an Assumption of the Bread and Wine by the Eternal Word, as made the Sacrament in some sense his *Body* indeed; but not that Body which is now in Heaven. All these different Opinions, in which the *Schoolmen* were divided, even after the Decision made by Pope *Innocent*,

cent, in the Council of the *Lateran*, shew, that the *Doctrine*, being a Novelty, men did not yet know how to mould or form it: but in process of time the whole Philosophy was so digested, as to prepare all *Scholars* in their first formation to receive it the more easily. And in our Age, in which that Philosophy has lost its credit, what pains do they take to suppress the *New* Philosophy, as seeing that it cannot be so easily subdued to support this *Doctrine* as the *Old* one was. And it is no unpleasant thing to see the Shifts to which the Partisans of the *Cartesian* Philosophy are driven to explain themselves; which are indeed so very ridiculous, that one can hardly think that those who make use of them, believe them: for they are plainly rather Tricks and Excuses, than Answers.

IX. No man can deny, that *Transubstantiation* is the *Doctrine* of the Church of *Rome*, but he that will dispute the Authority of the Councils of the *Lateran* and *Trent*: Now tho some have done the first avowedly, yet as their number is small, and their Opinion decried; so for the Council of *Trent*, tho I have known some of that Communion, who do not look upon it as a *General Council*, and tho it is not at all received in *France*, neither as to *Doctrine* nor *Discipline*, yet the contrary opinion is so universally received, that they who think otherwise, dare not speak out; and so give their Opinion as a secret, which they trust in confidence, rather than as a *Doctrine* which they will own. But setting aside the Authority of these Councils, the common Resolution of Faith in the Church of *Rome* being *Tradition*, it cannot be denied, that the constant and general *Tradition* in the Church of *Rome*, these last Five hundred years, has been in favour of *Transubstantiation*, and that is witnessed by all the Evidences by which it is possible to know *Tradition*. The Writings of Learned Men, the Sermons of Preachers, the Proceedings of Tribunals, the Decisions of Councils, that if they were not *general*, were yet very numerous, and above all by the many Authentical Declarations that *Popes* have made in this matter. So that either *Tradition* is to be for ever rejected as a false conveyance, or this is the received *Doctrine* of the Church of *Rome*, from which She can never depart, without giving up both her *Infallibility*, and the Authority of *Tradition*.

X. There

X. There is not any one point, in which all the *Reformed Churches* do more unanimously agree, than in the rejecting of *Transubstantiation*: as appears both by the Harmony of their Confessions, and by the current of all the *Reformed Writers*. And for the *Real Presence*, tho the *Lutherans* explain it by a *Consubstantiation*, and the rest of the *Reformed*, by a Reality of Virtue and Efficacy, and a Presence of Christ as crucified; yet all of them have taken much pains to shew, that in what sense soever they meant it, they were still far enough from *Transubstantiation*. This demonstrates the wisdom of our *Legislators*, in singling out this to be the sole point of the *Test* for Employments; since it is perhaps the only point in Controversy, in which the whole Church of *Rome* holds the Affirmative, and the whole *Reformed* hold the Negative. And it is as certain, that *Transubstantiation* is the Doctrine of the Church of *Rome*, as that it is rejected by the Church of *England*; it being by name condemned in our *Articles*.

And thus I hope the whole *Plea* of our Author in favour of *Transubstantiation* is overthrown, in all its three Branches, which relate to the Doctrine of the *Primitive Church*, the Doctrine of the Church of *Rome*, and the Doctrine of the Church of *England*, as well as of the other *Reformed Churches*. I have not loaded this Paper with Quotations; because I intended to be short: but I am ready to make good all the matters of fact asserted in it, under the highest pains of Infamy if I fail in the performance: and besides, the more Voluminous works that have been writ on this subject, such as *Albertine's*, *Claud's Answer to Mr. Arnaud*, and *F. Nonet, Larrogue's History of the Eucharist*, there have been so many learned Discourses written of late on this Subject, and in particular two Answers to the *Bishops Book*, that if it had not been thought expedient that I should have cast the whole matter into a short Paper, I should not have judged it necessary to trouble the world with more Discourses on a subject that seems exhausted. I will add no more, but that by the next I will give another Paper of the same Bulk upon the *Idolatry of the Church of Rome*.

*A Continuation of the Second Part of the*  
**ENQUIRY** *into the Reasons offered by*  
 Sa. Oxon for Abrogating the **TEST**: *Re-*  
*lating to the Idolatry of the Church of*  
 Rome.

**T**HE words of the *Test*, that belong to this Point, are these, *The Invocation or Adoration of the Virgin Mary, or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of Rome, are Superstitious and Idolatrous*: Upon which our Author fastens this Censure, "That since by this the Church of Rome is charged with *Idolatry*, which both forfeits Mens Lives here, and their Salvation hereafter, according to the express words of Scripture, it is a damnable piece of Cruelty and Uncharitableness to load them with this Charge, if they are not guilty of it; and upon this he goes to clear them of it, not only in the two Articles mentioned in the *Test*, the Worship of *Saints*, and the Sacrifice of the *Mass*, but that his *Apology* might be compleat, he takes in, and indeed insists chiefly on the Worship of *Images*, tho that is not at all mentioned in the *Test*. He brings a great many Quotations out of the *Old Testament*, to shew the *Idolatry* prohibited in it, was the worshipping of the Sun, Moon and Stars, or the making an *Image* to resemble the Divine Essence, upon which he produces also some other Authorities: And in this consists the Substance of his *Plea* for the Church of Rome.

But upon all this he ought to have retracted both the License that himself gave some years ago, to Dr. *Stillingfleets* Book Of the *Idolatry of the Church of Rome*; and his own hasty Assertion in condemning both Turk and Papist as guilty of *Idolatry*; the one for worshipping a leud Impostor, and the other for worshipping a senseless piece of Matter. It seems he is now convinced, that the latter part of this Charge that falls on *Papists*, was as false, as the former that falls on the *Turks*, certianly is; for

Def. of his  
 Eccl. Pol.  
 p.285,286

they never worshipped *Mahomet*, but hold him only in high Reverence, as an extraordinary Prophet, as the *Jews* do *Moses*. It is very like that, if the *Turks* had taken *Vienna*, he would have retracted that, as he has now in effect done the other; for I believe he is in the same Disposition to reconcile himself to the *Musli*, and the *Pope*; but the *Ottoman* Empire is now as low, as *Popery* is high; so he will brave the *Turk* still to his Teeth, tho he did him wrong, and will humble himself to the *Papist*, tho he did him nothing but right; but now I take leave of the Man, and will confine my self severely to the matter that is before me: And

I. How guilty soever the Church of *Rome* is of *Idolatory*, yet the *Test* does not plainly assert that; for there is as great a difference between *Idolatrous* and *Idolatory*, as there is in Law, between what is *Treasonable*, and what is *Treason*. The one Imports only a worship that is conformable to *Idolatory*, and that has a tendency to it; whereas the other is the plain Sin it-self; there is also a great deal of difference between what is now used in that Church, and the Explanations that some of their Doctors give of that usage. We are to take the usage of the Church of *Rome* from her Publick Offices, and her authorized Practices; so that if these have a Conformity to *Idolatory*, and a tendency to it, then the words of the *Test* are justified, what Sense soever some learned Men among them may put on these Offices and Practices; therefore the *Test* may be well maintained, even tho we should acknowledg that the Church of *Rome* was not guilty of *Idolatory*.

II. If *Idolatory* was a Crime punishable by *Death* under the *Old Testament*, that does not at all concern us; nor does the Charge of *Idolatory* authorize the People to kill all *Idolaters*: unless our Author can prove, that we believe our selves to be under all the Political and Judiciary Precepts of the *Law of Moses*; and even among the *Jews* the Execution of that severe Law, belonging either to the Magistrate, or to some authorized and inspired Persons, who as a Zealot might execute the Law, when the Magistrate was wanting to his Duty. So that this was writ invidiously, only as it seems to inflame the *Papists* the more against us. But the same *Calvinist Prince*, that

that has expressed so just an Aversion to the repealing the *Test*, has at the same time shewed so merciful an Inclination towards the *Roman Catholics*, that of all the Reproaches in the World, one that intended to plead for that Religion ought to have avoided the mentioning of Blood or Cruelty with the greatest care.

III. It is true, we cannot help believing that Idolatry is a damnable Sin, that shuts Men out of the Kingdom of Heaven; and if every Sin in which a Man dies without Repentance, does it, much more this, which is one of the greatest of all Sins. But yet after all, there is Mercy for *Sins of Ignorance*, upon Mens general Repentance; and therefore, since God alone knows the degrees of Mens Knowledg, and of their Ignorance, and how far it is either *Affected* on the one hand, or *Invincible* on the other; we do not take upon us to enter into Gods Secrets, or to Judg of the Salvation or Damnation of particular Persons; nor must we be byassed in our Enquiry into the nature of any Sin, either by a fond regard to the State of our Ancestors, or by the due respect that we owe to those who are over us in Civil Matters. In this Case, things are what God has declared them to be: we can neither make them better nor worse than he has made them; and we are only to Judg of things, leaving Persons to the merciful, as well as the just and dreadful Judgment of God.

IV. All the stir that our Author keeps with the examining of the *Idolatry* committed by the *Jews*, under the *Old Testament*, supposing it were all true, will serve no more for acquitting the Church of *Rome*, than a Plea would avail a Criminal, who were arraigned of *High Treason* for Coyning Money, or for Countefeiting the Kings Seal, in which one should set forth that *High Treason* was the *Murdering the King, or the levying War against him*; and that therefore the Criminal who was guilty of neither of these two, ought to be acquitted. *Idolatry* as well as *Treason*, is a comprehensive Notion, and has many different Branches; so that tho the worshipping the Host of Heaven, or the worshipping an Image as a Resemblance of the Divinity, may be acknowledged to be the highest degrees of *Idolatry*, yet many other Corruptions in the worship of God are justly reducible to it, and may be termed not only *Idolatrous*, but *Idolatry* it self.

V. Our Saviour in his Sermon on the Mount has shewed us how many sins are reducible to the Second Table of the Law, besides those of *Murder, Adultery, &c.* that are expressly named in it: and tho' the *Jews* in that time having delivered themselves entirely from the sin of *Idolatry*, to which their Fathers were so prone, gave him no occasion of commenting on the first and second *Commandment*; yet by the parity of things we may conclude, that many sins are reducible to them, besides those that are expressly named. And tho' we have not so compleat a History of the *Idolatry* of the Neighbouring Nations to *Judea*, before the Captivity; yet we do certainly know what was the *Idolatry* of which the *Greeks* and *Romans* were guilty when the *New Testament* was writ. And tho' the greatest part of the *New Testament* is written chiefly with relation to the *Jews*, whose freedom from *Idolatry* gave no occasion to treat of it; yet in those few passages which relate to the Heathen *Idolatry* then on foot, the holy Writers retain the same phrases and stile, that were used in the *Old Testament*: which gives us just reason to believe, that the *Idolatry* was upon the matter and in its main strokes the same under both: and if so, then we have a door opened to us to discover all our Author's false Reasonings: and upon this discovery we shall find that all the Inspired Writers charged the Heathen Worship with *Idolatry*, not so much with relation to the glosses that Philosophers and other political men might put on their *Rites*, but with relation to the practice in it self.

VI. But since *Idolatry* is a sin against a moral and unchangeable Law, let us state the True Notion of the right VVorship of God, and by Consequence of *Idolatry* (tho' this is done with that exactness by the worthy *Master of the Temple*, that it should make a man afraid to come after him.) Our Ideas of God, and the homage of VVorship and Service that we offer up pursuant to these, are not only to be considered as they are just thoughts of God, and Acts suitable to those thoughts; but as they are Ideas that tend both to elevate and purifie our own natures: for the thoughts of God are the seeds of all Truth and Virtue in us, which being deeply rooted in us, make us become conformable to the Divine Nature. So that the sin of *Idolatry* consists in this, that our Ideas of God being corrupted, he



he is either defrauded of that honour, which, tho' due to him, is transferred to another; or is dishonoured by a worship that is unsuitable to his nature; and we also by forming wrong Ideas of the object of our VVorship, become corrupted by them. Nothing raises the soul of Man more than sublime thoughts of God's Greatness and Glory: and nothing perfects it more, than just notions of his VVisdom and Goodness. On the contrary, nothing debases our natures more, than the offering our VVorship and Service to a Being that is low and unworthy of it: or the depressing the supream Being in our thoughts or worship, to somewhat that is like our selves, or perhaps worse. Therefore the design of true Religion being the forming in us such notions as may exalt and sanctify our natures, as well as the raising a Tribute to the Author of our being, that is in some sort worthy of him, the sin of *Idolatry* is upon this account chiefly forbidden in Scripture, because it corrupts our Ideas of God; and by a natural tendency this must likewise corrupt our natures, when we either raise up an *Idol* so far in our thoughts, as to fancy it a *God*, or depress *God* so far as to make him an *Idol*; for these two Species of *Idolatry*, have both the same effect on us. And as a wound in a Man's vitals, is much more destructive than any, how deep and dangerous soever, that is in his limbs; since it is possible for him to recover of the one, but not of the other; so *Idolatry* corrupts Religion in its source. Thus *Idolatry* in its moral and unchangeable nature is the Honouring any Creature as a God, or the Imagining that God is such a being as the other Creatures are: and this had been a sin, tho' no Law against it had ever been given to mankind, but the light and law of nature.

VII. But after all this, there are different degrees in this sin; for the true notion of God being this, that he comprehends all perfections in his essence; the ascribing all these to a Creature, is the highest degree of *Idolatry*: but the ascribing any one of these Infinite perfections, (or which is all one with relation to our actions.) the doing any thing which *Imports*, or is understood to *Import* it, is likewise *Idolatry*, tho' of a lower degree of guilt; so likewise the Imagining that the true God is no other than as an *Idol* represents him to be, is the highest degree of the other species of *Idolatry*; but the conceiving him as having a  
Body.

Body in which his Eternal mind dwells, or fancying that any strange Virtue from him dwells in any Body to such a degree, as to make that Body the proper object of Worship, unless he has assured us that he is really united to that Body, and dwells in it, which was the case of the *Cloud of Glory* under the *Old Testament*, and much more of the *humane nature of Christ* under the *New*; this is likewise *Idolatry*. For in all these, it is plain that the true Ideas of *God*, and the Principles of Religion are corrupted.

VIII. There are two principles in the nature of man that make him very apt to fall into *Idolatry*, either inward or outward. The first is the weakneſs of most peoples minds, which are so sunk into gross phantasms and sensible objects, that they are scarce capable to raise their thoughts to pure and spiritual Ideas: and therefore they are apt either to forget Religion quite, or to entertain it by objects that are visible and sensible: the other is, that mens appetites and passions being for the most part too strong for them, and these not being reconcilable to the true Ideas of a pure and Spiritual Essence, they are easily disposed to embrace such notions of *God* as may live more peaceably with their vices: and so they hope by a profusion of expence and honour, or of fury and rage, which they employ in the Worship of an Imaginary Deity, to purchase their pardons, and to compensate for their other crimes, if not to authorise them.

These two principles, that are so rooted in our frail and corrupt natures, being wrought on by the craft and authority of ambitions and covetous men, who are never wanting in all Ages and Nations, have brought forth all that *Idolatry*, that has appeared in so many different shapes up and down the World, and has been diversified according to the various tempers, accidents and Constitutions of the several Nations and Ages of the World.

IX. I now come to examine the beginnings of *Idolatry*, as they are represented to us in the Scripture, in which it will appear, that our Authors account of it shews him guilty, either of great Ignorance, or of that which is worse. "He pretends that the first plain Intimation, that we have of it in *Paradise*, is when *Jacob*, after his conversation with the *Schibemites*

“*mites*, commanded his family to put away their *Strange Gods*. Whereas we have an earlier and more particular account of those *Strange Gods* in the same Book of *Genesis*, Chap. 31. where when *Jacob* fled away from *Laban*, it is said, Verf. 19. that *Rachel* stole her fathers *Images* or *Teraphim*: and these are afterwards called by *Laban* his *Gods*, verf. 30. and these very *Images* are called by *Joshua* 24. 2. *Strange Gods*: So that the *Strange Gods*, from which *Jacob* cleansed his family, *Gen.* 35. 2. were no other than the *Teraphim*; and that in the *Teraphim*, we are to seek for the true Original of *Idolatry*, and for the sense of the phrase of *other Gods*, or *Strange Gods*, which is indeed the true key to this whole matter.

These were little statues, such as the *Dii lares* or *Penates* were afterwards among the *Romans*, or the *Pagods* now in the *East*, in which it was believed, that there was such a divine virtue shut up, that the *Idolaters* expected protection from them. And as people in all times are apt to trust to *Charms*, so those who pretended to chain down the Divine Influences to those *Images*, had here a great occasion given them to deceive the world; of this sort was the *Palladium* of *Troy*, and the *Ancelle* of *Rome*. And this gave the rise to all the cheats of *Telesmes* and *Talisman*s that came afterwards. These were of different figures: and since our Author confesses p. 124. that *Cherubim* and *Teraphim* are sometimes used promiscuously for one another, it is probable that the figure of both was the same; and since it is plain from *Ezekiel* that the *Cherubim* resembled a Calf (Compare *Ezek.* 1. 10. with *chap.* 10. 14. where what is called in the first the face of an Ox, is called in the other the face of a *Cherub*) from hence it is probable that the *Teraphim*, or at least some of them, were of the same figure. In these it was also believed, that there were different degrees of *Charms*; some were believed stronger than others: So that probably *Pharaoh* thought that *Moses* and *Aaron* had a *Teraphim* of greater virtue than his *Magicians* had, which is the clearest account that I know of his hardening his heart against so many Miracles: and this also seems to be the first occasion of the phrase of the *Gods of the several Nations*, and of some being stronger than other: that is, the *Teraphim* of the one were believed to have a higher degree of enchantment in them, than the others had.

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This then leads us to the right Notion of *Aaron's Golden Calf*, and of the terms of *graven* or *carved Images* in the Second Commandment, and even of the *other Gods* in the first Commandment: for we have seen that both in the *Stile of Moses* and *Jeshua*, the *Images* were those *Teraphim*, which they also called *strange Gods*. When the *Israelites* thought that *Moses* had forsaken them, they came to *Aaron* desiring him to make them *gods*, that is, *Teraphims*; yet they prescribed no form to him, but left that wholly to him; and so the dream of their fondness of the *Egyptian Idolatry* vanishes; for it was *Aarons* choice that made it a *Calf*; perhaps he had seen the *Divine Glory*, as a Cloud between the *Cberubims* when he went up into the Mountain, *Exod.* 24. 9, 10. For a *Pattern* being shewed to *Moses* of the *Tabernacle* that he was to make; it is probable, *Aaron* saw that likewise, and this might dispose him to give them a *Scrapium* in that Figure; this is also the most probable account both of the *Calves of Dan* and *Beisbel*, set up by *Feroboam*, and also of the *Israelites* worshipping the *Ephod* that *Gidon* made, *Judg.* 8. 27. of the *Idolatry* of *Micah* and the *Danites*, who robbed him, *Judg.* 17. 18. and of the *Israelites* offering *Incense* to the *Brazen Serpent*, *2 Kings* 18. 4. which seemed to have all the Solemnities of a *Teraphim* in it; so that it is plain, the greatest part of the *Idolatry* under the *Old Testament*, was the worship of the *Teraphim*.

X. But to compleat this Argument with relation to the present Point, it is no less plain, that the true *Fehorab* was worshipped in those *Teraphim*. To begin with the first. It is clear that *Laban* in the *Covenant* that he made with *Jacob*, appeals not only to the *God of Abraham*, *Gen.* 31. 53. but likewise to *Fehorab*, *v.* 49. for tho' that name was not then known, yet *Moses* by using it on that occasion, shews us plainly, that *Laban* was a *Worshipper* of the true God. *Aaron* shews the same by intimating that *Feast*, which he appointed to *Fehorab*, *Exod.* 32. 5. (which our Author thought not fit to mention) the People also by calling these, *v.* 4. the *Gods* that brought them out of *Egypt*, shew that they had no thoughts of the *Egyptian Idolatry*; but they believed that *Moses* had carried away the *Teraphim*, in the vertue of which it seems they fancied, that he had wrought his *Miracles*; and that *Aaron*, who they believed knew

knew the Secret, had made them new ones; and this is the most probable account of their joy in celebrating that Feast. And as for *Jeroboam*, the case seems to be plainly the same; he made the People believe that the *Teraphim*, which he gave them in *Dan* and *Berbel*, were as good as those that were at *Jerusalem*. For as his design was no other than to hinder their going thither, *1 Kings* 12. 27. so it is not likely, that either he would, or durst venture upon a total Change of their Religion; or that it could have passed so easily with the People; whereas the other had nothing extraordinary in it. It is also plain, that as *Jeroboam* called the Calves the *Gods that brought them out of Egypt*, *v.* 28. so he still acknowledged the true *Jehovah*; for the Prophets both true and false in his time prophesied in the name of *Jehovah*, *1 Kings* 13. 2, 18, 26. and when his Son was Sick, he sent his Wife to the Prophet *Jehovah*, *c.* 14. The Story of the new *Idolatry*, that *Achab* set up of the *Baalim*, shews also plainly, that the old Worshipers of the *Calves*, adhered to the true *Jehovah*; for *Elijah* states the matter, as if the Nation had been divided between *Jehovah* and *Baal*, *1 Kings* 18. 21, 39. And the whole Story of *Jebo* confirms this, *2 Kings* 9. 6, 12, 36. he was *Anointed King* in the Name of *Jehovah*; and as soon as the Captains that were with him, knew this, they acknowledged him *their King*; he likewise speaking of the Fact of the Men of *Samaria*, cites the Authority of *Jehovah*, *2 Kings* 10. 10, 16, 29. which shews that the People acknowledged it still: and he called his Zeal against the worship of *Baal*, his Zeal for *Jehovah*, and yet, both he and his Party worshipped the *Calves*. It is no less clear that *Micah*, who called the *Teraphim* his *Gods*, *Judges* 18. 24. was a Worshipper of the true *Jehovah*, *Judges* 17. 13. and there is little reason to doubt that this was the case of *Gideons Ephod*, and of the *Brazen Serpent*. It were needless to go about the proving, that all these corrupt ways of worship were *Idolrous*; the *Calf* is expressly called an *Idol* by *St. Stephen*, *Acts* 7. 41. and the thing is so plain, that it is denied by none that I know of; so here we have a Species of *Idolatry* plainly set forth in Scripture, in which the true God was worshipped in an *Image*; and I fancy it is scarce necessary to inform the Reader, that wherever he finds LORD in Capitals in the *English Bible*, it is for *Jehovah* in the *Hebrew*.

XI. It is very true that the great and prevailing *Idolatri* of all the *East* grew to be the worship of the *Host of Heaven*, which seems to have risen very naturally out of the other *Idolatri* of the *Teraphim*, which probably was the Ancienter of the two. For when men came to think that Divine Influences were tied to such *Images*, it was very natural for them to fancy, that a more Sovereign Degree of Influence was in the *Sun*, and by consequence that he deserved Divine Adoration much more than their poor little *Teraphim*. But it is also clear, that this Adoration, which they offer to the *Sun*, was not with Relation to the matter of that shining Body, but to the Divinity which they believed was lodged in it. This appears not only from the *Greek* writers, *Zenophon* and *Plutarch*, but from the greatest Antiquity that now is in the *World*; the *Bas reliefs* that are in the ruins of the Temple of *Persopolis*, which are described with so much cost and care, by that Worthy and Learned Gentleman, Sir *John Chardin*, and which the *World* expects so greedily from him; He favoured me with a sight of them, and in these it appears, that in their Triumphs, of which a whole Series remains entire, they carried not only the *Fire*, which was the Emblem of the Body of the *Sun*, but after that the Emblem of the *Divinity* that it seems they thought was in it, under the Representation of a *Head environed with Clouds*, which is the most natural Emblem that we can fancy of an Intelligent, and an Incomprehensible Being. It is true, as *Idolatri* grows still grosser and grosser, the Intelligent Being was at last forgot, tho it seems it was remembered by their Philosophers, since the *Greeks* came to know it, and all their Worship was paid to the *Sun*, or to his Emblem the *Fire*; so that even this *Idolatri* was most probably the Worship of the true God at first, under a visible Representation. And that this was an effect of the former *Idolatri*, is confirmed from what is said by *Moses*, *Deut. 4. 14.* to *19.* where he plainly intimates the progress that *Idolatri* would have, if they once came to worship *graven or molten Images*, or make any sort of *Similitude* for the Great God; this would carry them, to *lift up their Eyes to Heaven, and Worship and Serve the Host of them.*

XII. The next shape that *Idolatri* took, was the worshipping some subordinate Spirits, their *Genii*, which were in effect *Angels*,

gels, or departed Men and Women, and this filled both Greece and Rome, and was the prevailing Idolatry when the *New Testament* was writ. But that all these Nations believed still one Supreme God, and that they considered these just as the *Roman Church* does now *Angels* and *Saints*, (*mutatis mutandis*) has been made out so invincibly, by the Learned Dr. *Stillingfleet*, that one would rather think that he had over charged his Argument with too much proof, than that it is any way defective. And yet this Worship of those secondary Deities is charged with *Idolatry*, both in the *Acts*, and in the *Epistles*, so often, that it is plain, the Inspired Writers believed, that the giving any degrees of divine worship to a Creature, tho in a subordinate Form, was *Idolatry*; and *St. Paul* gives us a Comprehensive Notion of *Idolatry*, that it was the giving *Divine Service* (the word is *Dulia*) to those that by nature were not Gods, *Gal. 4. 8.* and he throws off all *Lords*, as well as all the *Gods* of the *Heathens* as *Idols*, and in opposition to these, reduces the VVorship of Christians to the Object of one God the Father, and of one Lord *Jesus Christ*, *1 Cor. 8. 5, 6.* So that the *Greek* and *Roman Idolatry* being strictly that which is condemned in the *New Testament*, of which we have such a copious Evidence from their writings, it is plain, that even inferior degrees of worship, when offered up to Creatures, tho *Angels*, is *Idolatry*; and tho the *Heathens* thought neither *Jupiter* nor *Mercury* the Supreme Deities, yet the *Apostles* did not for all that forbear to call them *Idols*, *Acts 14. 15.*

XIII. Our Author pretends to bear a great respect to Antiquity: And therefore I might in the next place, send him to all that the *Fathers* have writ against the *Greek* and *Roman Idolatry*, in which he will find that the *Heathens* had their *Explainers*, as well as the *Church of Rome* has. They denied they worshipped their *Images*; but said, they made use of them only to raise up their Minds by those visible Objects; yet as *St. Paul* begun the charge against the *Athenians* of *Idolatry*, *Acts 17. 29.* for their *Gods of gold and silver, wood and stone*; so it was still kept up, and often repeated by the *Fathers*, tho the *Philosophers* might have thrown it back upon them, with all that *Pomp* of dreadful words, which our Author makes use of, against those that fasten the same Charge upon the *Church of*

*Rome.* The same might be said with relation to the *Fathers*, accusing them of *Polytheism*, in worshipping many Gods, and of *Idolatry* in worshipping those that had been but Men like themselves. For it is plain, that at least all the Philosophers and wise Men believed, that these were only deputed by the Great God, to govern some Countrys and Cities; and that they were Mediators and Intercessors between God and Men. But all this, that appears so fully in *Celsus*, *Porphyrus*, and many others, did not make the *Fathers* give over the Charge; Dr. *Stillingfleet* has given such full Proofs of this, that nothing can be made plainer than the matter of Fact is. We know likewise, that when the Controversy arose concerning the Godhead of Jesus Christ, *Athanasius* and the other *Fathers* made use of the same Argument against the *Arrians*, who worshipped him; that they could not be excused from the Sin of *Idolatry*, in worshipping and invoking him, whom they believed to be only a Creature; which shews, that it was the Sense of the Christians of that Age, that all Acts of Divine Worship, and in particular, all Prayers that were offered up to any that was not truly, and by nature *God*, and the *Eternal God*, were so many Acts of *Idolatry*. So that upon the whole matter, it is clear, that the Worshipping the true *God* under a Corporeal Representation, and the worshipping or Invoking of Creatures, tho in an inferior degree, was taxed by the Apostles, and by the Primitive Church, as *Idolatrous*. When they accuse them for those Corruptions of Divine Worship, they did not consider the softning Excuses of more refined Men, so much as the Acts that were done, which to be sure do always carry the stupid Vulgar to the grossest degrees of *Idolatry*; and therefore every step towards it, is so severely forbid by God; since upon one Step made in the publick Worship, the People are sure to make a great many more in their Notions of things. Therefore if we should accuse the Church of *Rome*, for all the Excesses of the past Ages, or of the more Ignorant *Nations* in the present Age, such as *Spain* and *Portugal*, even this might be in some degree well grounded; because the publick and authorized *Offices* and *Practices* of that Church, has given the rise to all those Disorders; and even in this, we should but Copy after the *Fathers*, who always represent the *Pagan Idolatry*, not



not as *Cicero* or *Plutarch* had done it, but according to the grossest notions and practices of the Vulgar.

XIV. All that our Author says concerning the *Cherubims*, deserves not an answer; for what use soever might be made of this, to excuse the *Lutherans*, for the use of *Images*, without worshipping them (tho after all, the doing such a thing upon a Divine Command, and the doing it without a Command, are two very different things) yet it cannot belong to the worship of *Images*, since the *Israelites* payed no worship to the *Cherubims*. They pay'd indeed a Divine worship to the *Cloud of Glory*, which was between them, and which is often in the Old Testament called *God* himself, in all those expressions in which he is said to *dwell between the Cherubims*. But this being a miraculous Symbole of the Divine presence, from which they had answers in all extraordinary cases, it was *God* himself, without any *Image* or Representation, that was worshipped in it. As we Christians pay our Adorations to the *Humane Nature* of *Christ*, by vertue of that more sublime and ineffable indwelling of the *Godhead* in Him: in which case it is *God* only that we worship, in the *man Christ*. Even as the respect that we pay to a man terminates in his *mind*, tho the outward expressions of it go to the *body*, to which the mind is united. So in that unconceivable Union between the Divine and Humane Natures in *Christ*, we adore the *Godhead* only, even when we worship the *man*.

XV. The General part of this Discourse being thus stated, the application of it to the Church of *Rome* will be no hard matter. I will not insist much on the Article of *Image Worship*, because it is not comprehended in the *Test*, tho our Author dwells longest on it, to let us see how carefully, but to how little purpose he had read *Dr. Spencer's* Learned Book. But if one considers the Ceremonies and Prayers with which *Images*, and particularly *Crosses*, are to be dedicated by the *Roman Pontifical*, and the formal Adoration of the *Cross* on *Good-Friday*, and the strange vertues that are not only believed to be in some *Images* by the rabble, but that are authorized not only by the Books of Devotion publickly allowed among them, but even by *Papal Bulls* and *Indulgences*, he will be forced to confess, that the old notions of the *Teraphim* are clearly revived among them.

them. This could be made out in an infinite Induction of particulars, of which the Reader will find a large account in the Learned Dr. *Brevint's* Treatise, entitled, *Saul and Samuel at Endor*. But I come now to the two Branches mentioned in the *Test*.

XVI. One is the *Sacrifice of the Mass*, in which if either our *Senses*, that tell us, it is now *Bread and Wine*, or the *New Testament* in which it is called both *Bread* and the *fruit of the Vine*, even after the Consecration, or if the Opinion of the first *seven Centuries*, or if the true principles of *Philosophy*, concurring altogether, are strong enough, we are as certain as it is possible for us to be of any thing, that they are still according to our Authors own phrase, *a senseless piece of matter*. VVhen therefore this has *Divine Adoration* offered to it; when it is called, the *good God*, carried about in solemn Processions, and receives as publick and as humble a Veneration, as could be offered up to the Deity it self, if it appeared visibly: here the highest degree of *Divine worship* is offered up to a *Creature*; nor will such worshippers, believing this to be truly the *Body of Christ*, save the matter, if indeed it is not so. This may no doubt go a great way to save themselves, and to bring their sin into the Class of the sins of Ignorance; but what large thought soever we may have of the mercies of God to their persons, we can have no Indulgence for an act of *Divine Adoration*, which is directed to an Object that we are either sure is *Bread*, or we are sure of nothing else.

XVII. As for the *Invocation and Adoration of the Blessed Virgin and the Saints*, I shall offer only three Classes of Instances to prove it *Idolatrous*. 1. In the Office of the *Mass* on many of the *Saints days*, that *Sacrifice*, which is no other than the *Body and Blood of Christ*, according to them, is offered up to the honour of the *Saints*, and they pray to God to accept of it through the *Saints Intercession*. One would think, it were enough to offer up the *Sacrifices* of prayers and praises to them: but here is a *Sacrifice*, which carries in the plain words of it, the most absurd *Idolatry* that is possible; which is the offering up the *Creator* to the honour of a *Creature*.

2. In the Prayers and Hymns that are in their publick Offices, there are Petitions offered up to the *Saints*, that in the plain sense

sense of the words import their pardoning our sins, and changing our hearts. The dayly prayer to the *Virgin* goes far this way: *Tu nos ab hoste protege, & hora mortis suscipe*: Do thou protect us from our Enemy, and receive us in the hour of death. Another goes yet further: *Culpas nostras ablue, ut perennis sedem gloriae, per te redempti, valeamus scandere*: Wash thou away our sins, that so being redeemed by thee, we may ascend up to the mansions of glory. That to the *Angels* is of the same nature, *Nostra diluant jam peccata praestando supernam Caeli gloriam*: May they wash away our sins, and grant us the heavenly glory. I shall to this add two *Addresses* to two of our *English Saints*; the first is to *St. Alban*, *Te nunc petimus Patrone praeco sedule, qui es nostra vera gloria, solve precum votis, servorum scelera*: We implore thee, our Patron, who art our true Glory, do thou take away the crimes of thy Servants, by thy Prayers. And the other relates to *Thomas Becket*, whom I believe, our Author will not deny to have been as great a Rebel, as either *Coligny*, or his Faction: and yet they pray thus to Christ, *Tu per Thomae sanguinem, quem pro te effudit, fac nos Christe scandere quo Thomas ascendit*. Do thou, O Christ, make us by the blood of *Thomas*, which he shed for thee, to ascend up whither he has ascended: And the Hymn upon him, is that Verse of the Eighth Psalm, *Thou hast crowned him with Glory and Honour, and has set him over all the works of thy hands*. One would think, it were no bold thing to pronounce all this, and innumerable more Instances, which might be brought to the same purpose, to be *Idolatrous*. If we are sent by our Author to the senses that may be put on these words, I shall only say with relation to that, that the *Test* condemns the Devotions as they are used in the *Roman Church*: so this belongs to the plain sense of the words; and if it is confessed that these are *Idolatrous*, as ascribing to Creatures the right of pardoning sin, and opening the Kingdom of Heaven, which are main parts of the Divine Glory, then the matter of the *Test* is justified.

A Third sort of Instance is in the Prayer that comes after the Priest has pronounced the words of Absolution, *Passio Domini nostri Jesu Christi, merita B. Mariae Virginis, & omnium Sanctorum, & quicquid boni feceris, vel mali sustinueris, sint tibi in remissionem peccatorum, augmentum gratiae, & premium vitae aeternae*:  
May

May the Passion of our Lord Jesus Christ, the Merits of the B. Virgin, and all the Saints, and all the good thou hast done, or the evil that thou hast suffered, be to thee effectual, for the remission of thy sins, the encrease of grace, and the reward of Eternal life. *Absolution* in its true and unsophisticated meaning, being the declaration made to a Penitent of the Mercies of God in Christ, according to the Gospel, I would gladly know, what milder censure is due to the mixing the merits of the *Virgin* and the *Saints*, with the Passion of *Christ*, in order to the obtaining this Gospel Pardon, with all the effects of it, than this of our *Test*, that it is *Idolatrous*.

I have now examined the two points, in which our Author thought fit to make an *Apology* for the Church of *Rome*, without descending to the particulars of his *Plea* more minutely. I have used him in this more gently than he deserves; for as I examined his *Reasonings*, I found all along both so much Ignorance, and such gross disingenuity, that I had some difficulty to restrain my self from flying out on many occasions: But I resolved to pursue these two points, with the gravity of stile which the matter required, without entangling the discourse with such unpleasant digressions, as the discovery of his *Errors* might have led me to. And I thought it enough to free un- wary Readers from the mistakes into which his Book might lead them, without encreasing the contempt belonging to the Writer, who has now enough upon him; but I pray God grant him Repentance and a better mind.

### F I N I S.

BOOKS lately Published by Dr. BURNET, and Printed for  
John Starkey and Ric. Chiswell.

**R**eflections on a Paper, intituled, *His Majesties Reasons for withdrawing himself from Rochester.*

An Enquiry into the Present State of Affairs; and in particular, whether We owe Allegiance to the King in those Circumstances? And whether we are bound to Treat with him, and Call him back again or not?

A Sermon Preached in St. James's Chappel, before the Prince of Orange, Decemb. 23. 1688.

A Sermon Preached before the House of Commons, January 31. 1688. being a Thanksgiving-day, for a Deliverance of this Kingdom from Popery and Arbitrary Power.

A Letter to Mr. Thevenot. containing a Censure of Mr. Le Grand's History of King Henry the Eighth's Divorce. To which is added, A Censure of Mr. de Meaux's History of the Variations of the Protestant Churches. Together with some further Reflections on Mr. Le Grand.













